WARRANT FOR ANNUAL TOWN ELECTION APRIL 4, 1995

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ:

Precinct 1.	Town Office Building Gymnasium
Precinct 2.	Harrington Elementary School Gymnasium
Precinct 3.	Harrington Elementary School Gymnasium
Precinct 4.	Westlands School Cafetorium
Precinct 5.	Byam School Cafetorium
Precinct 6.	Westlands School Cafetorium
Precinct 7.	McCarthy Middle School, Small Gymnasium
Precinct 8.	McCarthy Middle School, Small Gymnasium
Precinct 9.	Town Office Building Gymnasium

On Tuesday, the 4th day of April, 1995 being the first Tuesday in said month at 8:00 a.m. until 8:00 p.m. for the following purposes:

To bring in their votes for the following officers:

Two Selectmen for three years;

Two School Committee Members for three years;

Two Members of Public Library Trustees for three years;

One Member of Board of Health for three years;

Two Members of Planning Board Members for three years;

One Member of Planning Board for an unexpired two year term;

Two Sewer Commissioners for three years;

One Member of the Housing Authority for five years;

One Cemetery Commissioner for three years.

One Constable for three years;

and to vote on the following question:

QUESTION 1 THIS QUESTION IS NOT BINDING

Shall the Town vote to amend the Chelmsford Home Rule Charter under Part III, Section 3-2 (c), Board of Selectmen Appointment Powers such that the Board of Selectmen shall have the power to appoint Policy Advisory Committees to assist their decision making process?

Yes
No

and to bring in their votes for the following:

Fifty-four Representative Town Meeting members; six representatives per precinct for a three year term.

Two Representative Town Meeting Members for an unexpired two year term in Precinct 1.

One Representative Town Meeting Member for an unexpired two year term in Precinct 2.

One Representative Town Meeting Member for an unexpired one year term in Precinct 9.

The polls will be open from 8:00 a.m. until 8:00 p.m.; and to meet in the Senior Center, Groton Road North Chelmsford, on Monday, the twenty-fourth day of April, at 7:30 p.m. in the evening, then and there to act upon the following articles, VIZ:

Article 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

Board of Selectmen

Article 2. To see if the Town will vote to raise and appropriate such sums of money as may be required to defray Town charges for the fiscal period July 1, 1995 to June 30, 1996; or act in relation thereto.

Town Manager

Article 3. To see if the Town will vote to appropriate a certain sum of money for the following capital projects:

DEPARTMENT	ITEM	BUDGET
FIRE	Refurbish fire truck	$ 60,000.
	Station roof repair	$ 15,000.
POLICE	Cruiser replacement	$ 100,000.
	Police facility plan/engineering study	$ 20,000.
	Police facility security surveillance system	$ 12,000.
DATA PROCESSING	Computer upgrades	$ 30,000.
DPW	One ton truck - sewer	$ 30,000.
	Old Town Hall repairs	$ 35,000.
	Drainage	$ 50,000.
	One ton truck	$ 30,000.
	Vehicle for highway superintendent	$ 25,000.
DPW/SCHOOL SIDEWALK CONSTRUCTION	Sidewalk design & construction	$ 300,000.
SCHOOL DEPT. HIGH SCHOOL	Cafeteria tables	$ 7,000.
	HVAC	$ 28,000.
	Microscopes	$ 30,000.
MCCARTHY	Cafeteria tables & chairs	$ 7,000.

PARKER	Student desks & chairs	$ 20,000.
	Library/computer furniture	$ 20,000.
	Intrusion alarm	$ 15,000.
	Telephone system	$ 24,000.
HARRINGTON	Intrusion alarm	$ 15,000.
WESTLANDS	Intrusion alarm	$ 15,000.
TECHNOLOGY	Workstations	$ 102,000.
	Network school system	$ 100,000.
MAINTENANCE	Backflow systems	$ 10,000.
		$ 1,100,000.

and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, and/or borrow a certain sum of money to fund these obligations; or act in relation thereto.

Board of Selectmen
Town Manager
Capital Planning
Committee

Article 4. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6; or act in relation thereto.

Town Manager
Finance Committee

Article 5. To see if the Town will vote to transfer a certain sum of money from the sale of the Graves and Lots to the Cemetery Improvement and Development Fund; or act in relation thereto.

Cemetery Commission

Article 6. To see if the Town will vote to raise and appropriate, or transfer and appropriate from available funds, a certain sum of money to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford; or act in relation thereto.

Town Manager

Article 7. To see if the Town will vote to raise and appropriate or transfer from available funds, a certain sum of money for the purpose of funding the sand lease approved by the Town under Article 12 of the 1989 Annual Town Meeting; or act in relation thereto.

Town Manager

Article 8. To see if the Town will vote to authorize the Town Manager and the Board of Selectmen to sell pursuant to the provisions of Massachusetts General Laws Chapter 30B Police Cruisers and appropriate a certain sum of money from funds received from said sales towards the purchase of communication radios for the police department; or act in relation thereto.

Town Manager

Article 9. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land on Shore Drive, shown as Lots 35 & 36 on Assessor's Map 45, containing 6709 square feet and 4638 square feet more or less respectively; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6258, Page 149 and Book 3041, Page 53; or act in relation thereto.

Board of Selectmen

Article 10. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money for the purpose of paving Mallory Street to Town specifications and to assess betterments to the residents benefited by the paving of Mallory Street pursuant to M.G.L. Chapter 80 for a percentage of the amount expended under this Article; or act in relation thereto.

Department of
Public Works

Article 11. To see if the Town will vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Engineer:

1. Boyds Lane;
2. Carter Drive;
3. Burton Lane;
4. Adirondack Road;
5. Omni Way;
6. Peders Place.

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and to see if the Town will vote to raise and appropriate, transfer and appropriate from the Stabilization Fund, and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and to see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto; or act in relation thereto.

Board of Selectmen

Article 12. To see if the Town will adopt a means of recording the votes of Town Meeting Representatives on each Town Meeting Article. Said record will be in the form of a Town Meeting Representative Voting Record Card which shall be distributed, collected, and maintained by the Town Clerk. The Voting Record Card shall include precinct number, representative name, session and year, article numbers with yes, no or abstain voting boxes, and signature line declaring that the votes recorded are true and correct; or act in relation thereto.

Committee to
Review Accountability

Article 13. To see if the Town will vote to authorize the design, construction and original equipping of a new library facility to be constructed as an addition to the existing Adams Library and appurtenant Town owned properties, and further to authorize the Board of Library Trustees, Board of Selectmen, and/or Town manager to apply for any State and/or Federal funds which might be available to defray all or part of the cost of the design, construction and original equipping of the addition to the Adams Library and to authorize the Board of Library Trustees to accept and expend any such funds when received without further appropriation under the supervision of the Town Manager; or act in relation thereto.

Board of
Library Trustees

Article 14. To see if the Town will vote to amend the Traffic Rules and Orders Article VI. STOPPING, STANDING AND PARKING by adding the following:

Section 27A All Night Parking Prohibited It shall be unlawful for the operator of any vehicle to park said vehicle on any street between the hours of midnight and 6 A.M. of any day from December 1st to March 31st.

; or act in relation thereto.

Department of
Public Works

Article 15. To see if the Town will vote to authorize the Town Manager to appoint a Harbor Master whose duties shall include the regulation of navigation and recreational boating on the Merrimack River to insure the safety of the boating public. The Harbor Master subject to the approval of the Town Manager shall be responsible for establishing rules and regulations and fee schedules for the use of the public launching ramp on Wotton Lane. The Harbor Master or his designee as approved by the Chief of Police shall police the operation of the public launching ramp and Merrimack River within the Town of Chelmsford and shall collect all fees and fines as provided in the rules and regulations. Subject to the approval of the Town Manager, the Harbor Master shall be authorized to apply for any State and/or Federal funds or grants which might be available to defray all or part of the costs of establishing or maintaining this position and further to authorize the Harbor Master, under the supervision of the Town Manager to accept and expend any such funds without further appropriation; or act in relation thereto.

Chief of Police

Article 16. To see if the Town will vote that the Town Manager under reports of the Town Officers and Committees shall give a brief report on the outcome or status of each article passed by Town Meeting at an Annual or Special meeting held ten or more months prior. The manager will not be required to report on zoning or budget articles; or act in relation thereto.

Petition

Article 17. To see if the Town will vote to amend the Chelmsford Home Rule Charter under Part II Legislative Branch/Representative Town Meeting, Section 2.5(d) Filling Vacancies by deleting the following:

(d) Filling Vacancies

Any vacancy in the full number of town meeting members from any precinct shall be filled by the person receiving the highest number of votes among the defeated candidates at the last election. In the absence of such candidate, the vacancy shall be filled until the next annual town election by the remaining town meeting members from the precinct, from among the voters in said precinct.

and adding the following:

(d) Filling Vacancies

Any vacancy in the full number of town meeting members from any precinct shall be filled by the person receiving the highest number of votes among the defeated candidates at the last election. In order to be eligible to fill a vacancy as a defeated candidate a write-in candidate shall have received at lease twenty-five (25) votes in the most recent election. In the absence of such candidate, the vacancy shall be filled until the next annual town election by the remaining town meeting members from the precinct, from among the voters in said precinct.

; or act in relation thereto.

Town Clerk

Article 18. To see if the Town will vote to amend the General By-Laws Article XI General Wetlands By-Law by deleting the existing Article XI in its entirety and replacing it with the following Article XI:

ARTICLE XI

GENERAL WETLANDS BYLAW

SECTION 1 PURPOSE

The purpose of this Bylaw is to protect the wetlands of the Town of Chelmsford by controlling activities deemed to have a significant effect upon wetland values, including but not limited to the following: public or private water supply, groundwater supply, flood control, erosion control, storm damage prevention, water pollution prevention, fisheries, shellfish, wildlife, recreation and aesthetics (collectively, the "interests protected by this Bylaw").

SECTION 2 JURISDICTION

Except as permitted by the Conservation Commission or as provided in this Bylaw, no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following resource areas: any freshwater wetlands; marshes; wet meadows; bogs; swamps; vernal pools; banks; reservoirs; lakes; ponds of any size; rivers; streams; creeks; beaches; lands under water bodies; or lands within 100' of the aforesaid resource areas; lands within the 100 year floodplain, either calculated or mapped; (collectively the "areas subject to protection by this bylaw"). Said resource areas shall be protected whether or not they border surface waters.

SECTION 3 PROVISIONS

The construction of any building, as defined herein on any lot having an area of 40,000 square feet or more, or any parking lot containing 10 or more parking spaces, shall be prohibited within 50 feet of any resource area.

Construction of a building shall not include any reconstruction, alteration, extension or structural change to a building existing on October 15, 1990.

The Commission shall be prohibited from issuing a permit for any parcel where at least eighty (80) percent of the lot area required by the Zoning By-Law Section 2600 Intensity of Use Schedule, Minimum Lot Requirements, is not contiguous land other than that under any water body or bog, swamp, wet meadow, marsh, or any other wetland as defined in M.G.L. Chapter 131 Section 40;

If any provision of this bylaw shall be determined to be invalid, the validity of the remaining portion of the bylaw shall not be affected thereby. The commission may waive the 50 feet construction prohibition contained herein where the Commission specifically finds that literal enforcement of the prohibition would involve substantial hardship, financial or otherwise to an applicant and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this by-law.

SECTION 4 CONDITIONAL EXEMPTIONS

This bylaw shall not apply to the following types of projects:

A. Work required for the maintenance, repair or replacement, but not the substantial changing or enlarging, of an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunications services;
B. Emergency Projects as defined in M.G.L. Ch. 131, s. 40 which are necessary for the protection of the health and safety of the citizens of the Commonwealth and to be performed or ordered to be performed by an agency of the Commonwealth or of the Town. An emergency project may be any project certified to be an emergency by the Commission or its authorized agent.
C. Work performed for normal maintenance or improvement of lands in agricultural use at the time the work occurs.

SECTION 5 DETERMINATION OF APPLICABILITY

Any person may request the Conservation Commission to make a determination as to whether or not this Bylaw applies to a particular area of land.

This request shall be sent by certified mail or hand delivered to the Commission or its authorized representative. If the applicant is other than the owner, the applicant shall send a copy of the request to the owner. If the applicant hand delivers the request to the Commission, he/she shall be given a dated receipt.

The Commission shall determine, within 21 days of receipt of such request, whether this Bylaw does apply to the particular area of land. The Commission will send to the applicant a Determination of Applicability.

The Determination of Applicability will be sent to the applicant by certified mail. If the applicant is other than the owner, the Commission will send a copy of the Determination to the owner by certified mail.

SECTION 6 NOTICE OF INTENT

If the particular area of land is subject to this Bylaw, then the applicant must file a Notice of Intent. This Notice will be on a form available from the Commission. Said Notice shall include plans and specifications as required of an applicant under G.L., Ch. 131, Section 40, as of July 28, 1978 and as amended, and such other information as the Commission may require. These plans will clearly show the location of wetland boundaries and numbered wetlands flags. Said numbered flags shall correspond to flags in the field.

The Notice of Intent may be filed before other permits, variances and approvals required under other Town Bylaws, Subdivision Control Law or regulations have been obtained.

The Notice of Intent shall be accompanied by a check for the amount of the filing fee (see Filing Fees). No filing fee is required when the Town of Chelmsford files a Notice of Intent.

Each Notice of Intent shall be sent by certified mail or shall be hand delivered to the Conservation Commission or its authorized representative. A person delivering a Notice of Intent by hand shall be given a dated receipt.

Notice of the public hearing shall be sent by the applicant by certified mail to all parties in interest. Parties in interest shall mean the petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters to abutters within 300 feet of the property line of the petitioner or the boundary of the wetland area under consideration, whichever is greater all as they appear on the most recent applicable tax list, not withstanding that the land of any such owner is located in another city or town.

SECTION 7 PUBLIC HEARING

The Commission shall hold a public hearing on the application within 21 days of the filing of the Notice of Intent. Notice of the date, time and place of the hearing shall be given by the Commission, at the expense of the applicant, not less than five days prior to the hearing, by publication in a newspaper of general circulation in Chelmsford and by mailing a notice to the applicant, the Board of Health, Board of Appeals and Planning Board. Such hearing may be held at the same time and place as any public hearing required to be held under G.L., Ch. 131, Section 40. If the Commission determines that additional data or information is necessary, the hearing may be continued to a future date.

SECTION 8 BURDEN OF PROOF

The applicant shall have the burden of proving by preponderance of the credible evidence that the work proposed in the application will not harm the interests protected by this Bylaw. Failure to provide adequate evidence to the Commission supporting a determination that the proposed work will not harm the interests protected by this Bylaw shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions, or, in the Commission's discretion, to continue the hearing to another date to enable the applicant or others to present additional evidence upon such terms and conditions as seems to the Commission to be reasonable.

SECTION 9 ORDER OF CONDITIONS

If after said hearing, the Conservation Commission determines that the land on which the proposed work is to be done is significant to the interests protected by this Bylaw, it shall, by written order, within 21 days or such further time as the Commission and applicant shall agree upon, impose such conditions reasonably necessary for the protection of interests described herein and all work shall be done in accordance therewith. The Conservation Commission may impose such conditions on any proposed removing, dredging, filling or altering as it deems necessary to protect and preserve the interests covered by this Bylaw. Such Order of Conditions shall be in writing and may be subject to the same constraints as any such order issued by the Chelmsford Conservation Commission under the provisions of G.L. 131, Section 40, or successor statutes, and shall be issued within 21 days after the Public Hearing. Such Order of Conditions shall expire 3 years from the date of issuance. The Conservation Commission may extend an Order of Conditions for one or more periods of up to three years each. The request for an extension shall be made to the Conservation Commission in writing at least thirty (30) days prior to expiration of the Order of Conditions. The Commission may deny the request for an extension and require the filing of a new Notice of Intent for the remaining work. No proposed work governed by an Order of Conditions shall be undertaken until all permits, approvals, and variances required by the local Bylaw have been obtained and all applicable appeal periods have expired.

If the Commission determines that the area which is the subject of the application is not significant to the interests protected by this Bylaw, or that the proposed activity does not require the imposition of conditions, it shall issue a permit without conditions within 21 days of the public hearing. The applicant and all others who have received notice of such hearing by mail shall be notified of such determination within 21 days after said hearing.

SECTION 10 DENIAL

The Commission is empowered to deny permission for any removal, dredging, filling, or altering, on subject lands within the Town, if, in its judgement such denial is necessary to protect the interest of this Bylaw.

SECTION 11 RELATIONSHIP TO CHAPTER 131, SECTION 40 AND 310CMR

The Commission shall not impose additional or more stringent conditions pursuant to Chapter 131, Section 40 of the General Laws than it imposes pursuant to this Bylaw, nor shall it require a Notice of Intent pursuant to Ch. 131, Section 40 to provide materials or data in addition to those required pursuant to this Bylaw. All reference in the bylaw to Chapter 131, Section 40 shall include the provisions of regulations promulgated pursuant to said statute as codified in 310CMR 10.00.

SECTION 12 ADDITIONAL INFORMATION

At any time up to the closing of the hearing, the Commission may require such additional information from the applicant as the Commission reasonably deems necessary.

SECTION 13 ENTRY UPON LAND

The Commission, its agents, and employees may enter upon privately-owned land for the purpose of performing their duties under this Bylaw.

SECTION 14 RECORDING

Both the original Order of Conditions and a statement of compliance with this order shall be recorded with the Registry of Deeds in Lowell for the property defined in the order. Evidence certifying that recording has been done must be returned to the Commission before work begins.

SECTION 15 PRE-ACQUISITION VIOLATION

Any person who purchases, inherits or otherwise acquires real estate upon which work has been done in violation of the provisions of this Bylaw or in violation of any permit issued pursuant to this Bylaw shall forthwith comply with any such order to restore such land to its condition prior to any violation; provided, however, that no action, civil or criminal, shall be brought against such person unless commenced within three years following the date of acquisition of the real estate by such person.

SECTION 16 LEGAL ACTION

The Board of Selectmen shall, upon the request of the Conservation Commission, instruct Town Counsel to take such legal action as may be necessary to restrain a violation of this Bylaw, and enforce the orders of the Commission hereunder and the Town Counsel shall forthwith comply with such instructions.

SECTION 17 REGULATIONS

After due notice and public hearing, the Commission may promulgate rules and regulations to effectuate the purposes of this Bylaw. Failure by the Commission to promulgate

such rules and regulations or a legal declaration of their invalidity by a court or law shall not act to suspend or invalidate the effect of this Bylaw.

SECTION 18 FEE SCHEDULE

Rules: 1.) Permit fees are payable at the time of application and are non-refundable.

2.) Town, County, State or Federal projects are exempt from fees.

Fees: The Commission may adopt and impose project review charges in accordance with regulations promulgated pursuant to its authority under Massachusetts General Laws.

In addition, if the Commission deems it necessary to obtain an independent engineering review, the cost of obtaining adequate engineering and environmental information shall be borne by the applicant. This cost must be paid by the applicant prior to the issuance of an Order of Conditions or the Commission will render the application incomplete.

SECTION 19 DEFINITIONS

The following definitions shall apply in the interpretation and implementation of this Bylaw:

a) The term "person" shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to town bylaws, administrative agencies, public or quasi-public corporations or bodies, the Town of Chelmsford, and any other legal entity, its legal representatives, agents or assigns.

b) The term "applicant" as used in this Bylaw shall mean a person giving Notice of Intent to build, remove, fill, dredge or alter.

c) The term "alter" shall include, without limitation, the following actions when undertaken in areas subject to this Bylaw:

1. Removal, excavation or dredging of soil, sand, gravel or aggregate material of any kind:

2. Changing of pre-existing drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns and flood storage retention characteristics;

3. Drainage or other disturbance of water level or water table;

4. Dumping, discharging, filling with any material or other activity which may degrade water quality in or out of the Town of Chelmsford;

5. Driving of piles, erection of buildings or structures of any kind;

6. Placing of obstructions whether or not they interfere with the flow of water;

7. Destruction of plant life, including cutting of trees;

8. Changing of water temperature, biochemical oxygen demand or other physical or chemical characteristics of the water.

d) The term "banks" shall mean that part of land adjoining any body of water which confines the water.

e) The terms "marsh", "freshwater wetland", "swamp", "wet meadow", and "bog" as used in this Bylaw shall be defined as defined in G.L. Chapter 131, Section 40. The Commission may adopt additional definitions not inconsistent with this Section 16 of this Bylaw.
The boundary of these wetlands is the line within which fifty (50) percent or more of the vegetation consists of wetland plant species as set forth in Massachusetts General Laws Chapter 131, Section 40 and in situations where a dispute exists the line within which the soil conditions meet the technical criterion of a hydric soil as defined by currently approved Army Corps of Engineers delineation manual.

f) The term "building" as used in this By-Law shall mean a structure enclosed within exterior walls or firewalls, built, erected, and framed of a combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals, or property. For the purpose of this definition, "roof" shall include an awning or any similar covering, whether or not permanent in nature.

g) The terms "land under water bodies or waterways", "vernal pool habitat", shall be defined as defined in 310 CMR 10.04.

h) The term "lower floodplain" shall mean the area of land within the statistical 10 year flood or within 100 feet of the bank or boundary vegetated wetland, whichever is further from the waterbody or waterway.

i) The term "wildlife" shall mean all mammals, birds, reptiles, amphibians and all vertebrate and invertebrate animal species, except domesticated species.

j) The term "wildlife habitant" shall mean those areas subject to these "by-laws" which due to the plant community composition and structure, hydrologic regime, or other characteristics provide important food, shelter, migratory travel or overwintering areas or breeding areas for wildlife.

k) The term "rare species" shall mean those vertebrate and invertebrate animal species officially listed as endangered, threatened, or of special concern by the Massachusetts Division of Fisheries and Wildlife under 321 CMR 8.00 and those plant species listed as rare, threatened, or endangered by the Massachusetts Natural Heritage Program.

l) The term "abutter" shall include owners of property immediately adjacent, across a road or water body, and in another municipality if within 300' of the boundary of the property where work is proposed.

m) The term "areas subject to protection" shall include the resource areas described in Section 2 of this bylaw.

n) The term "buffer zone" shall mean that area of uplands within 100' horizontally outward from the boundary of a resource area.

o) The term "interests protected by this bylaw" shall include public or private water supply, groundwater supply, flood control, erosion control, storm damage prevention, water pollution prevention, fisheries, shellfish, wildlife habitat, recreation and aesthetics.

p) The term "resource areas" shall mean the same as areas subject to protection.

The Commission may adopt additional definitions not inconsistent with this Section 19 of this bylaw.

SECTION 20 SECURITY

The Commission may require, as a permit condition that the performance and observance of other conditions be secured by one or both of the following methods:

a) By a bond or deposit of money or negotiable securities in an amount determined by the Commission to be sufficient to secure performance of conditions and observance of the safeguards of such Order of Conditions and payable to the Town of Chelmsford upon default;

b) By conservation restriction, easement or by a covenant, executed and duly recorded by the owner of record, running with the land, whereby the conditions and safeguards included in such Order of Conditions shall be performed before any lot may be conveyed other than by mortgage deed.

SECTION 21 ENFORCEMENT

Any person who violates any provision of this Bylaw or of any conditions of a permit issued pursuant to it shall be punished by a fine of not more than $300.00. Each day or portion thereof during which a violation continues shall constitute a separate offense. This Bylaw may be enforced by a Town police officer or other officer having police powers. Upon request of the Commission, the Board of Selectmen and Town Counsel shall take such legal action as may be necessary to enforce this Bylaw and permits issued pursuant to it.

SECTION 22 INVALIDITY

The invalidity of any section or provision of this Bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any Order of Conditions which have previously become final.

SECTION 23 WILDLIFE HABITAT EVALUATION

1. Measuring Adverse Effects on Wildlife Habitat

   a. To the extent that a proposed project will alter vernal pool habitat or will alter other wildlife habitat such alterations may be permitted only if they will have no adverse effects on wildlife or vernal habitat. Adverse effects on wildlife or vernal habitat shall mean the alteration of any habitat characteristic such as food, shelter, migratory breeding and overwintering areas, insofar as such alteration will, follow 2 growing seasons of project completion and thereafter (or, if a project would eliminate trees, upon the maturity of replanted saplings) substantially reduce its capacity to provide important wildlife and vernal habitat functions. Such performance standards, however, shall not apply to the habitat of rare species. All projects that may impact on rare species must apply through the Massachusetts Natural Heritage and Endangered Species Program at least 90 days prior to the filing of a Notice of Intent.

   b. An evaluation by the applicant of whether a proposed project will have an adverse effect on wildlife habitat beyond permissible thresholds shall be performed by an individual with at least a masters degree in wildlife biology or ecological science from an accredited college or university, or other competent professional with at least 2 years experience in wildlife habitat evaluation.

   c. Any wildlife habitat management practices conducted by the Division of Fisheries and Wildlife, and any wildlife management practices of any individual or organization if reviewed and approved in writing by said Division, shall be presumed to have no adverse effect on wildlife habitat. Such presumption is rebuttal, and may be overcome by a clear showing to the contrary.

2. Wildlife Habitat Characteristics of Inland Resource Areas:

   a. Banks. The topography, soil structure, and plant community composition and structure of banks can provide the following important wildlife habitat functions: food, shelter, migratory wildlife, breeding and overwintering areas of wildlife.

   b. Land Under Water Bodies or Waterways. The plant community and soil composition and structure, hydrologic regime, topography and water quality of land under water bodies or waterways can provide the following important wildlife habitat functions: food, shelter, breeding areas and overwintering areas for wildlife.

   c. Vernal Pool Habitat. The topography, soil structure, plant community composition and structure, and hydrologic regime of vernal pool habitat can provide the following important wildlife habitat functions: food, shelter, migratory, breeding, and overwintering areas for wildlife.

d. Lower Flood Plans. The hydrologic regime, plant community, and soil composition and structure, topography, and proximity to water bodies and waterways of lower floodplains can provide the following important wildlife habitat functions: food, shelter, migratory, overwintering and breeding areas for wildlife.

; or act in relation thereto.

Conservation
Commission

Article 19. To see if the Town will vote to release all right, title and interest in a portion of a drainage easement dated June 11, 1977 and recorded in the Middlesex North District Registry of Deeds Book 2312 Page 248. The easement area to be released contains approximately 1,118 square feet of land and is further described and shown as "Easement Area Released" on a Plan to be presented at Town Meeting, a copy of which is on file in the Office of the Town Engineer and is incorporated by reference; or act in relation thereto.

Department of
Public Works

Article 20. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money for the purpose of providing Senior Citizen Real Estate Tax Payment Vouchers for services rendered, pursuant to an agreement to be formulated by the Council on Aging and approved by the Town Manager; or act in relation thereto.

Town Manager
Council on Aging

Article 21. To see if the Town will vote to raise and appropriate the sum of $150,000.00 for labor contract settlements regarding collective bargaining matters; or act in relation thereto.

Town Manager

Article 22. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to meet bills from previous years; or act in relation thereto.

Town Manager

Article 23. To see if the Town will vote to amend the General Bylaws Article VII MISCELLANEOUS by adding the following:

Section 13 Restricted Vendor Areas

1. No person shall offer for sale or sell any articles on the public ways designated on plans approved by the Board of Selectmen, during the following periods:

   a. the annual Independence Day Celebration

   b. veterans memorial services

   c. the annual Winterfest

   d. other events approved by the Board of Selectmen.

2. It is the intent and purpose of this Bylaw to prohibit hawkers, peddlers, and vendors from engaging in their business in the vicinity of the activities referred to above. Sales during said festivals are restricted to non-profit volunteer supported organizations which annually support the festivals and the cultural and social activities of the Town.

3. The Board of Selectmen shall review each special event seeking to fall under this Bylaw with the sponsor(s) to determine whether a restricted area shall be designated for the event. Should a restricted area be needed, the plan of the proposed area shall be submitted to the Board of Selectmen for approval a minimum of one month prior to the event.

4. This Bylaw shall not prohibit hawkers, peddlers, or vendors from selling their products on the public ways of the Town during any period not designated above or in any area outside the area designated on the plans referred to above.

   ; or act in relation thereto.

Town Celebrations
Committee

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 22 day of March A.D., 1995

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Roger A. Blomgren, Chairman

Robert P. Joyce, Vice Chairman

William F. Dalton, Clerk

Jeffrey A. Brem

Peter V. Lawlor

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
ANNUAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Annual Town Meeting of April 24, 1995:

Thursday, April 27, 1995 at 7:30 p.m.

Monday, May 1, 1995 at 7:30 p.m.

Thursday, May 4, 1995 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive weeks until the meetings are concluded.

Pursuant to General By-Laws Article II, Section 4.10 Notice these date and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. MARCH 28, 1995

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence
Constable

A True Copy Attest, William E. Spence

William E. Spence,
Constable

TOWN ELECTION APRIL 4, 1995

*indicates Candidate for Re-election

OFFICES and CANDIDATES	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SELECTMAN 3 Year Terms (2)										
Blanks	214	195	257	236	232	245	222	216	238	2055
Evelyn S. Thoren	330	291	417	363	379	345	330	316	314	3085
Peter V. Lawlor*	482	176	370	340	451	592	578	412	430	3831
Susan J. Gates	455	212	378	367	487	525	580	437	448	3889
Write-In	2	3	2	2	1	2	2	2	1	17
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	1	1	0	0	0	1	2	1	1	7
TOTAL	1484	878	1424	1308	1550	1710	1714	1384	1432	12884
SCHOOL COMMITTEE 3 Year Terms (2)										
Blanks	283	195	282	241	251	281	258	224	247	2262
Roger C. Sumner	217	131	205	223	214	195	177	178	243	1783
Wendy C. Marcks*	440	193	389	336	486	509	570	410	402	3735
Angelo J. Taranto	543	357	547	505	598	724	709	571	539	5093
Write-In	0	1	1	3	1	0	0	1	1	8
Misc	1	1	0	0	0	1	0	0	0	3
TOTAL	1484	878	1424	1308	1550	1710	1714	1384	1432	12884
LIBRARY TRUSTEE 3 Year Terms (2)										
Blanks	593	369	595	542	643	689	640	560	626	5257
Sarah L. Warner*	528	297	475	450	506	594	576	432	461	4319
John W. Cutter, Jr.	362	209	352	315	397	425	497	385	339	3281
Write-In	1	1	1	0	3	0	1	4	5	16
Misc	0	2	1	1	1	2	0	3	1	11
TOTAL	1484	878	1424	1308	1550	1710	1714	1384	1432	12884
BOARD OF HEALTH 3 Year Term (1)										
Blanks	216	128	203	192	219	218	225	199	247	1847
Paul J. Canniff*	524	311	506	459	552	635	628	492	466	4573
Write-In	2	0	3	2	3	0	4	0	3	17
Misc	0	0	0	1	1	2	0	1	0	5
TOTAL	742	439	712	654	775	855	857	692	716	6442
PLANNING BOARD 3 Year Terms (2)										
Blanks	423	252	409	385	438	487	496	403	403	3696
James M. Creegan*	396	218	367	304	421	509	531	412	374	3532
Kevin D. Clark	354	235	379	277	347	373	371	305	339	2980
Dolores A. Blomgren	311	172	268	342	344	341	314	261	314	2667
Write-In	0	0	1	0	0	0	1	0	2	4
Misc	0	1	0	0	0	0	1	3	0	5
TOTAL	1484	878	1424	1308	1550	1710	1714	1384	1432	12884
PLANNING BOARD Unexp 2 Yr Term (1)										
Blanks	265	137	206	221	251	260	292	230	292	2154
Tracey Wallace Cody	476	301	504	432	521	593	562	460	418	4267
Write-In	1	0	2	1	2	0	2	0	5	13

SEWER COMMISSION 3 Year Terms (2)										
Blanks	482	305	460	401	524	524	571	457	566	4290
Barry B. Balan*	493	276	455	452	504	577	560	434	431	4182
John P. Emerson, Jr.*	507	297	506	455	520	602	579	486	430	4382
Write–In	2	0	2	0	2	4	3	4	3	20
Misc	0	0	1	0	0	3	1	3	2	10
TOTAL	1484	878	1424	1308	1550	1710	1714	1384	1432	12884
HOUSING AUTHORITY 5 Year Term (1)										
Blanks	137	63	141	112	160	155	191	138	138	1235
Mary E. Royce	443	193	332	383	432	498	494	376	425	3576
Daniel J. Sadkowski	161	183	238	158	182	202	172	178	153	1627
Write–in	1	0	1	0	1	0	0	0	0	3
Misc	0	0	0	1	0	0	0	0	0	1
TOTAL	742	439	712	654	775	855	857	692	716	6442
CEMETERY COMMISSION 3 Year Term (1)										
Blanks	231	124	190	191	238	234	264	199	263	1934
Gerald L. Hardy*	511	315	520	462	535	618	592	491	451	4495
Write–In	0	0	2	0	1	2	1	1	1	8
Misc	0	0	0	1	1	1	0	1	1	5
TOTAL	742	439	712	654	775	855	857	692	716	6442
CONSTABLE 3 Year Term (1)										
Blanks	225	116	183	187	234	223	244	200	251	1863
William E. Spence*	516	322	527	466	540	629	612	490	462	4564
Write–In	1	1	2	0	1	1	1	1	1	9
Misc	0	0	0	1	0	2	0	1	2	6
TOTAL	742	439	712	654	775	855	857	692	716	6442
QUESTION 1 NON–BINDING										
Blanks	168	103	146	146	162	167	176	159	153	1380
Yes	325	192	310	288	330	371	374	279	296	2765
No	249	144	256	220	283	317	307	254	267	2297
TOTAL	742	439	712	654	775	855	857	692	716	6442

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 1

Blanks	1919
Ronald W. Wetmore*	391
William E. Spence*	420
Michael A. Hazel	329
Sandra B. Martinez*	320
Linda M. Lee	336
Nina S. Lewin*	315
Kathryn Brough*	412
Write–In	4
Misc	6
TOTAL	4452

REPRESENTATIVE TOWN MEETING MEMBERS (2) Unexpired 2 Year Terms

Prec 1

Blanks	618
Holly A. Kraiker	412
Vito P. Yannece	168
Joseph P. Abate	279
Write–In	3
Misc	4
TOTAL	1484

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 2	
Blanks	979
Barry T. Bell*	253
James F. O'Shea	208
Stanley W. Norkunas*	226
Jeffrey W. Stallard*	254
George C. Greenman	190
Mary Jo Welch*	259
Bonnie I.Foster*	253
Write–In	8
Misc	4
TOTAL	2634

REPRESENTATIVE TOWN MEETING MEMBER (1) Unexpired 2 Year Term

Prec 2	
Blanks	401
William P. Griffin	16
Write–In	11
Misc	11
TOTAL	439

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 3

Blanks	1355
James P. Boermeester	302
Christopher J. Baker	186
Adrienne M. Jerome	267
Jeffrey M. Reilly	143
Thomas J. Welch*	343
Harold I. Matzkin*	266
Henry R. McEnany*	323
Carol W. Merriam*	341
John P. Emerson, Jr.*	369
Nancy J. Knight*	369
Write-In	5
Misc	3
TOTAL	4272

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 4	
Blanks	1279
John R. Hibbard*	270
Donald C. Stayman	185
Helen A. Manahan*	295
Joan D. Morrison	259
John B. Sousa, Jr.	267
Jacob P. Sartz, III*	252
Carl W. Seidel*	269
John G. O'Sullivan, Sr.*	203
Emanuel S. Castro	121
Daniel J. Sullivan, III*	259
Roger C. Sumner	258
Write–In	6
Misc	1
TOTAL	3924

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 5

Blanks	1803
Patricia Wojtas*	445
W. Allen Thomas, Jr.*	431
Jonathan S. Stevens*	432
Steven J. Temple*	397
Leonard R. Richards, Jr.	366
Dean Carmeris*	407
Matthew J.Doyle*	363
Write–ins	5
Misc	1
TOTAL	4650

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 6

Blanks	1824
Evangelos T. Lekas	279
Martin A. Gruber*	450
Janet G. Dubner*	505
Margaret A. Johnson*	485
Edward S. Marshall*	375
Arthur J. Moores*	497
Christopher J. Driscoll	289
Michael R. Parquette*	416
Write–ins	3
Misc	7
TOTAL	5130

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 7	
Blanks	2235
Paul F. Gleason*	511
Jonathan C. Stubbs*	448
Karen D. Ready	534
Linda G. Morabito*	482
Clare L. Jeannotte	432
Peter Dulchinos*	491
Write–In	5
Misc	4
TOTAL	5142

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 8

Blanks	1357
John E. Abbott*	282
Brian J. Arenstam	249
Peter G. Johnson*	292
Alexander W. Gervais*	269
William P. Keohane*	247
Jacqueline A. Sheehy	289
William C. Curry	332
Cheryl Adkins Boss	278
Dolores E. McGuire	221
Katherine C. Harbison*	317
Write–In	5
Misc	14
TOTAL	4152

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 9	
Blanks	1524
Frank R. Peterson*	287
Francis J. Barre*	364
Eleanor D. Abbott*	300
Allan T. Galpin, Jr.*	248
Margaret A. Fudge	392
James W. Young	339
Phyllis Elias*	287
Robert J. Hawking	301
Michael E. Bahia*	249
Write–In	3
Misc	2
TOTAL	4296

REPRESENTATIVE TOWN MEETING MEMBER (1) Unexpired 1 Year Term

Prec 9	
Blanks	279
Anne Lise Sexton	433
Write–In	3
Misc	1
TOTAL	716

WARRANT FOR
THE SPECIAL TOWN MEETING
MAY 4, 1995
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the Town meeting representatives of said Chelmsford to meet in the Senior Center, Groton Road, North Chelmsford, on Thursday, the 4th day of May, at 7:30 p.m. o'clock in the evening, then and there to act upon the following articles, VIZ:

Article 1. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land on Main Street, shown as Lot 33 on Assessor's Map 193, containing 4850 square feet more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 787, Page 328; or act in relation thereto.

Board of Selectmen

Article 2. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land on Bentley Lane, shown as Lot 49 on Assessor's Map 204, containing 39,000 square feet more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2153, Page 301; or act in relation thereto.

Board of Selectmen

Article 3. To see if the Town will vote to authorize the Town Manager and the Board of Selectmen to sell pursuant to the provisions of Massachusetts General Laws Chapter 30B self-propelled asphalt paving machine and 1987 Ford Crown Victoria automobile and appropriate a certain sum of money from funds received from said sales towards the purchase of a hydraulic catch basin cleaner for a Department of Public Works truck; or act in relation thereto.

Department of Public Works

Article 4. To see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple with the trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sidewalk Easements, Pilgrim Road, Chelmsford, MA prepared for the Town of Chelmsford, April 1995", by Town of Chelmsford Engineering Division, and "Plan of Sidewalk Easements Old Westford Road, Chelmsford, MA prepared for the Town of Chelmsford, April 1995", by Town of Chelmsford, Engineering Division, said plans to be presented at Town Meeting, for the purpose of constructing and maintaining sidewalks and all other appurtenances thereto; and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

Article 5. To see if the Town will vote to amend the existing Town of Chelmsford Zoning Map by changing the following described property from a Special Industrial District (IS) to a Single Family Residential District (RB):

The land off of Oak Hill Road, Chelmsford, containing 48.6 acres and further described as follows:

Legal Description of Proposed Re-Zoning of
Property Adjacent to Oak Hill Road, Chelmsford

A certain parcel of land situated in Chelmsford and being shown within a plan entitled "Definitive Subdivision Plan of Land", Oak Hill Road, prepared for Altid Enterprises Limited Partnership, dated October 12, 1994 prepared by LandTech Consultants, Inc. and bounded and described as follows:

Beginning at a stone bound at the southeasterly corner of the existing Oak Hill Road right of way;

Thence running N 35°-52'-34" E two hundred seventy-six and ninety-seven hundredths feet (276.97') to a fieldstone bound;

Thence running N 06°-58'-01" E three hundred five and seventy-two hundredths feet (305.72') to another fieldstone bound;

Thence running N 20-°38'-31" E one hundred twenty-three feet (123'), more or less, to the existing Residence B zoning district line;

Thence running N 56°-25'-52" E seventy-four feet (74'), more or less, along said zoning district line;

Thence running S 40°-47'-18" E seventy-nine feet (79'), more or less, along a property line to the intersection of the existing Residence B zoning district line;

Thence running S 34°-58'-34" E thirteen hundred seventy-six feet (1376'), more or less, along said zoning district line;

Thence running S 31°-21'-57" W one hundred seventy and sixty-seven hundredths feet (170.67') along a property line to a stone bound;

Thence running S 16°-58'-14" W one hundred forty-seven feet (147'), more or less, to the existing Residence B zoning district line;

Thence running S 56°-03'-58" W eight hundred fifty-seven feet (857'), more or less, along said zoning district line;

Thence running N 45°-29'-26" W four hundred sixty-nine feet (469'), more or less, to a granite bound;

Thence running N 38°-15'-27" W four hundred thirty two and eighty-six hundredths feet (432.86') along a property line;

Thence running N 84°-11'-49" W six hundred fifty one and thirty nine hundredths feet (651.39') along a property line;

Thence running S 26°-29'-44" E seven hundred five and forty-seven hundredths feet (705.47') along a property line;

Thence running N 31°-24'-38" W one thousand twenty-two feet (1022'), more or less, to the intersection of the existing Residence B zoning district line;

Thence running N 56°-25'-52" E eleven hundred seventy-one feet (1171'), more or less, along said zoning district line to the existing Oak Hill Road westerly right-of-way line;

Thence running S 22°-21'-52" E three hundred sixty-four and twenty-seven hundredths feet (364.27') along said right-of-way;

Thence running S 70°-18'-28" E fifty-five and seventy hundredths feet (55.70') to a stone bound at the point of beginning.

; or act in relation thereto.

Petition

Article 6. To see if the Town will vote to amend the vote passed under Article 3 at the 1994 Annual Town meeting, authorizing the borrowing of $6,093,399 for the Center School renovation project, to permit the borrowing of amounts necessary for planning and other preliminary expenses prior to formal approval of any state construction grant for the project; or act in relation thereto.

Town Manager

Article 7. To see if the Town will vote to amend the vote passed under Article 16 at the 1993 Annual Town Meeting authorizing the borrowing of 281,254. for the library land acquisition, and to rescind the balance of the authorized but unissued debt in the amount of $119,998.; or act in relation thereto.

Town Manager

Article 8. To see if the Town will vote to transfer and appropriate certain sums of money within the fiscal year 1995 budget as recommended by the Town Manager at the Town Meeting; or act in relation thereto.

Town Manager

Article 9. To see if the Town will vote to amend the General By-Laws Article VII MISCELLANEOUS by adding the following:

Section 13 Licensing of Fortune Tellers

1. No person shall tell fortunes for money unless a license therefor has been granted by the Board of Selectmen.
2. Licenses shall be granted only to applicants who have resided continuously in the Town for at least twelve months immediately proceeding the date of the application.
3. Licenses issued under this section may not be transferred or assigned.
4. The fee for each license granted under this section shall be fifty dollars.
5. Violation of this By-Law shall be punishable by a fine of $100.00 for each offense. Each day that such violation continues shall constitute a separate offense.

; or act in relation thereto.

Chief of Police

Article 10. To see if the Town will vote to amend the General By-Laws Article VI Police Regulations by adding the following:

Section 24 Licensing and Regulation of Second Hand Precious Metal Shopkeepers

1. The Board of Selectmen may, upon petition, license such persons as they deem suitable to be second hand dealers in precious and/or old metals and keepers of shops for the purchase, sale or barter of such articles, pursuant to the law within the Town. Such licenses shall not be valid to protect the holders thereof in a building or place other than that designated in the license, unless consent to removal is granted by the Board of Selectmen. All licenses thus granted shall contain a clause that the person thus licensed agrees to abide by and be subject to all the provisions of this By-Law or any By-Law which may be adopted by the Board of Selectmen relating to dealers in or keepers of shops licensed for the above purposes.

2. Applications for such licenses shall be examined and reported upon by the Chief of Police or his designee(s). The Chief of Police shall report whether or not he is of good reputation, can read and write the English language intelligibly, (but inability to do so shall not be grounds for denial of said license) has ever held a similar license and if such license was revoked, suspended or surrendered, the reasons therefor.

3. Applications for new licenses under this By-Law may be filed at any time. Applications for the reissue of licenses already existing should be filed at least thirty days before the expiration of such license. All licenses issued under this By-Law shall expire annually on the first day of May except that licenses may be issued in April to be valid for twelve months beginning the next succeeding first day of May. Persons whose licenses have expired and have not been reissued will be liable to prosecution for engaging in any business for which the license is required.

4. When a licensee has failed to use his license for a period of thirty days in the business and at the place for which he was licensed, the Chief of Police through his designee will so report with such reasons for the failure as the licensee may give.

5. As used in this By-Law, precious metals shall mean any object constructed of or electroplated with Gold, Silver, or Platinum, regardless of its form, weight or appearance.

6. Every such shopkeeper shall keep a book in which shall be written, at the time of every purchase of any such article, a particular description thereof and the name, date of birth, and residence of the person from whom, and the day and hour when, such purchase was made. The shopkeeper shall also require positive (picture) identification to confirm that the above information is accurate. The shop of such shopkeeper, and all articles of merchandise therein, and such book shall at all times during business hours be open to inspection of the Board of Selectmen, police officers of the Town or any persons authorized by the Board.

Every such shopkeeper shall require a person from whom he makes a purchase to provide positive identification (positive identification shall mean any picture identification card issued by a governmental agency) and to sign his name, date of birth, and address on a card, the style and size of which shall be approved by the Police Department. In those transactions where precious metals and/or gems, regardless of form, weight or appearance, are purchased, said positive identification together with the items of precious metal and/or gems and each transaction sheet shall be photocopied. In the event that such person is unable to write, the shopkeeper shall fill in the name, date of birth and address obtained from the positive identification required above on such card, together with a notation stating that such person was unable to do so.

Such card shall be retained permanently in an alphabetical index filed by the licensed shopkeeper in precious and/or old metals. Every such shopkeeper shall, at the time of making any purchases, attach a number to EACH article bought, traded or bartered and shall make entry of such number in the book described above.

If the articles obtained by the second hand precious and/or old metal shopkeeper through purchase, trade, or barter are of precious metals or gems, the shopkeeper shall also list in said book as described above and on said card as described above, the weight and current market value of each article obtained.

7. Any police officer of the Town, as a designee of the Board of Selectmen, may, during business hours, enter upon any premises used by a licensed second hand precious and/or old metals shopkeeper to ascertain how he conducts his business, and examine any and all articles taken in trade or kept or stored in or upon said premises and all books and inventories relating thereto, and all such articles, books and inventories shall be exhibited to any such officer whenever a demand shall be made for such exhibition. Refusal to permit said viewing shall constitute a violation of this By-Law <u>The officers actions shall at all times conform to the established Policy and Procedures of the Chelmsford Police Department pertaining to inspections of licensed premises.</u>

Such book shall be of a size and style to be approved by the Chelmsford Police Department, shall be legibly written in the English language, and shall show the amount paid for each article and the number attached to each article in accordance with the above requirements. No entry in such book shall be erased, obliterated or defaced.

Every such shopkeeper shall make out and deliver to the commanding officer of the Bureau of Investigative Services, Chelmsford Police Department, every business day before the hour of 10 o'clock A.M. a legible and correct list containing an accurate and detailed description of all articles purchased during the preceding business day, the respective numbers of such articles as required above, the prices paid therefor, and the time when such articles were purchased, and with regards to the purchase of items containing precious metal, and/or gems, either the original photocopy or a copy thereof which shows the positive identification legibly, the items purchased and the transaction sheet, as described above.

The commanding officer of the Bureau of Investigative Services will designate an officer of his command who will review each police report received listing lost/stolen property and also ensure that a report is received from all precious and/or old metals shopkeepers for the purpose of identifying any article that is like or similar to one which has been reported lost or stolen. Should this situation occur, a "stop order" shall be issued by the Chief of Police or his designee, to the shopkeeper prohibiting the resale of the particular article(s) until it can be determined whether the particular piece(s) is in fact that which has been reported lost/stolen. If it is determined that the particular article is not reported lost/stolen, then the "stop order" shall be lifted forthwith.

8. Every such shopkeeper shall post in a conspicuous place in his shop a copy of the By-Laws relating to dealers in precious and/or old metals, to be furnished by the Police Department, and shall put in some suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed thereon in large letters.

No such shopkeeper shall have his shop open for the transaction of business, nor shall he purchase any precious and/or old metals, except between sunrise and 9 o'clock in the evening of any week day except Saturday, on which day such shop may be kept open and such articles purchased from sunrise until 10 o'clock in the evening.

9. No person licensed under this By-Law shall, directly or indirectly, either purchase or receive by way of barter or exchange any precious and/or old metals or gems from a minor, or apprentice knowing or having reasonable cause to believe him to be such.

No such shopkeeper holding a license as a dealer in precious and/or old metals or gems, shall permit to be sold any article purchased or received by him until at least a period of thirty days from the date of its purchase or receipt has elapsed.

10. Any person who acts as a dealer in or keeper of a shop for the purchase, sale, or barter of precious and/or old metals without a license, or in any other place or manner than that designated in his license or after notice to him that his license has been revoked, or violates any such rule, regulation or restriction of this By-Law, shall forfeit two hundred dollars for each such violation.

; or act in relation thereto.

Chief of Police

Article 11. To see if the Town will vote to transfer and appropriate a certain sum of money from the Sale of Land Special Revenue Account for the purpose of purchasing playground equipment for Roberts Field under the under the supervision of the Town Manager as recommended by the Friends of the Park; or act in relation thereto.

Town Manager

C. THE CHELMSFORD EDUCATION FUND COMMITTEE

1. There shall be established a Chelmsford Education Fund Committee to administer the Chelmsford Education Fund and to authorize the expenditure of its funds.

2. Members of the Chelmsford Education Fund Committee shall be the Superintendent of Schools and five residents of the Town, appointed by the Selectmen.

3. Appointment of three year terms will be made in accordance with the statute. Upon initial formation of the Committee, terms of members will be arranged so that the terms of as nearly an equal number of members as is possible shall expire each year.

D. MEETINGS

1. The Chelmsford Education Fund Committee shall meet quarterly and at other times as are deemed necessary and appropriate for the conduct of Committee business.

2. A quorum for purposes of transacting business shall consist of four members, decisions shall be based upon the vote of a majority of the members present.

3. The Town Treasurer shall provide the Committee with quarterly financial reports on the status of the Chelmsford Education Fund.

E. PROCEDURES

1. Written proposals requesting supplemental funding from the Chelmsford Education Fund shall be submitted to the Chelmsford Education Fund Committee at least two weeks before a meeting and shall be presented according to the format specified by the committee.

2. Application for such funds may be made by the Chelmsford School Committee through the Superintendent of Schools, by a School Council (as established under M.G.L. Chapter 71, Section 59C), by members of the professional staff employed by the Chelmsford Public Schools.

3. All requests for supplemental funding must support the mission and beliefs of the Chelmsford Public Schools and be in accordance with Chelmsford School Committee policy.

; or act in relation thereto.

School Committee

Article 12. To see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property known as the Apple Country Club located at 66 Park Road in the Town of Chelmsford, Massachusetts; shown as lot 16 on Assessor's Map 164, containing 31.50 acres more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2399 Page 194; and shown as lot 18 on Assessor's Map 164, containing 9148 square feet more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2399 Page 194; and shown as lot 19 on Assessor's Map 164, containing 3.950 acres more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 5602 Page 134; and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, transfer and appropriate from revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; or act in relation thereto.

Board of Selectmen

Article 13. To see if the Town will vote to amend the General By-Laws Article VII MISCELLANEOUS by adding the following:

Section 14 TOWN OF CHELMSFORD EDUCATION FUND

A. PURPOSE

The Town of Chelmsford Education Fund is established in accordance with the provisions of M.G.L. Chapter 60, Section 3C as amended by the Acts of 1993 to provide supplemental educational funding for local educational needs.

B. DEFINITIONS

1. *Local educational needs* shall be defined as the needs of those schools and students which are under the jurisdiction of the Local Education Agency (LEA) which is the Chelmsford Public Schools.

2. *Supplemental educational funding* shall be defined as that which adds to or enhances the educational opportunities provided by the Local Educational Agency and funded by the Town of Chelmsford. Supplemental funding cannot a) take the place of funds requested in the Chelmsford School Committee's annual budget request which support the essential curriculum and programs of the Chelmsford Public Schools; b) create new ongoing programs which cannot be supported in the future by the Chelmsford Public Schools; or c) provide for the continuation of programs which the Chelmsford Public Schools no longer support.

Article 14. To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 60, Section 3C as amended by the Acts of 1993 relative to providing supplemental educational funding for local educational needs; or act in relation thereto.

School Committee

Article 15. To see if the Town will vote to transfer a certain sum of money from Conservation fees under Wetlands Special Reserve Fund to reduce the Conservation Commission Budget Fiscal Year 1996; or act in relation thereto.

Town Manager
Conservation Commission

Article 16. To see if the Town will vote to transfer a certain sum of money from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1996 Budget; or act in relation thereto.

Town Manager
Sewer Commission

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 18th day of April, 1995.

BOARD OF SELECTMEN OF THE TOWN OF CHELMSFORD

Robert P. Joyce, Chairman

Peter V. Lawlor, Vice Chairman

William F. Dalton, Clerk

Susan J. Gates

Roger A. Blomgren

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
SPECIAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Special Town Meeting of May 4, 1995:

Monday, May 8, 1995 at 7:30 p.m.

Thursday, May 11, 1995 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meetings are concluded.

Pursuant to General By-Laws Article II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. APRIL 20, 1995

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

A True Copy Attest,

William E. Spence,
Constable

ANNUAL TOWN MEETING
APRIL 24, 1995

The Annual Town Meeting was called to order at 7:40 PM, at the Senior Citizen Center by the Moderator Dennis J. McHugh. The Moderator recognized the presence of a quorum, there were 155 Town Meeting Representatives present. The Moderator pointed out the fire exits. He went over the Town Meeting rules and procedures and made a few public announcements.

The Moderator then requested a moment of silence in honor of two former elected officials. Selectman and School Committee member, Daniel Hart, who passed away November 14, 1994. Assessor, Housing Authority Chairman, and Town Meeting Representative, Ruth Delaney, who passed away January 25, 1995. He also requested because of a bombing which had taken place on April 19th at the Oklahoma Federal Building in Oklahoma City, Oklahoma, a moment to remember those who died, and their families.

The Moderator then asked for permission to allow the following non residents and/or department heads to address the body when articles required their input. Mary Mahoney, Library Director and Philip Seibert, Architect for the Library, Bernie Di Natale and Robert Cruickshank, of the School Department. Motion carried.

Chairman of the Board of Selectmen Robert P. Joyce welcomed to the meeting newly elected Town Meeting Representatives and Selectman Susan Gates. The body responded with a round of applause.

Selectman Peter Lawlor then read two proclamations. This week April 24th to April 28th is to be known as Student Government Week. The week of May 1st to May 5th is to known as Government Week.

UNDER ARTICLE 1 Selectman Robert P. Joyce, moved that the Town vote to hear reports of the Town Officers and Committees.

The Moderator announced that Representative Carol Cleven and Senator Cecile Hicks were present and would each give a brief report on their activities.

Representative Carol Cleven came forward and gave a brief summary of two bills. One was concerning State aid for Education. The other was State funding for sewers. Now with the new title five being in effect, sewering will be an important factor in the future.

Senator Cecile Hicks discussed the proposed Library funding and grant process being offered by the State. She said that Chelmsford's was in an excellent position for funding. She addressed briefly the Raytheon Company's issue concerning the requested tax breaks needed to maintain the Company in Massachusetts. The final item mentioned was an update on the State's budget.

Selectman Robert P. Joyce, moved to waive the reading of the Constable's return service and the posting of the warrant

be waived. The Motion carried unanimously, by a show of hands. Selectman Robert P. Joyce moved that the reading of the warrant be waived. The Moderator asked for a show of hands, motion carried, unanimously.

The Moderator requested that Leonard Doolan III come forward and present to the body a report of the Voting Procedural Committee, which had been appointed at the 1994 Spring Annual Town Meeting, under article 16.
Leonard Doolan gave his report. He explained that the Committee had been appointed and charged to recommend a solution to the present voting procedure presently being followed by the Town Meeting Representatives. Currently there is no means of accountability except through the present method of a roll call vote. The Committee sent surveys to the following surrounding cities/towns with representative style government: Adams, Amherst, Lexington, Natick, Reading, S. Hadley, Stoughton, Walpole, Webster, and Winchester. The results were the same, there was no actual method of recording individual votes. The voting methods used were hand counts or voice votes. As a result a debate took place among the Committee members. After a majority vote, it was decided that a tally card be designed and used during regular and special town meetings. A warrant article has been submitted and will be discussed and voted on at some point during this scheduled annual meeting. The Moderator asked that the body accept this report by way of show of hands, motion carried.

UNDER ARTICLE 2 The Moderator explained the procedure he would follow during this article. He was going to read the budget figures shown in the grey area of the warrant book first. These are the total figures for the departments listed. He would then read the departments and their budget figures, at which time questions and discussions would be entertained. A final vote would be taken at the end, which will be the figured needed to raise and appropriate.

Town Manager Bernard Lynch gave a presentation explaining certain increases within the departmental budgets and why the recommendations were made. The total budget has an increase of 2 1/2 % with an expected shortfall of $90,000.00.
This is due to a decrease in School Aid. He felt confident that the receipts were coming in at a good level, and would be able to close the gap by the time the tax rate budget certification is set in the fall. He felt that it is a good budget and that it reflects the progress that has been made over the years of maintaining a good quality of life for the Town.

The Moderator began reading the figure's under Municipal Administration. Under the Selectmen's Budget a question was asked by John Wilder, concerning an increase. The Town Manager explained that this was due to the increase in personnel services. Non-union personal and the increase in his compensation. The Moderator continued to read from Town Manager through the Conservation Commission. John Wilder asked for an explanation of the increase. The Town Manager explained that the position of Land Use Co-ordinator has increased hours to become a full-time position due to the use of Conservation Commission and the DPW. The Moderator continued to read from Board of Appeals through Planning Board. John Wilder asked what the increase was. The Town Manager explained that the personnel services have increased

from part-time position to full time at the Planning Board's request. The position had been cut back previously but now due to the requirement of more plans etc an increase in hours is justifiable. The Moderator continue reading up to the School Department. Michael Sockol asked for Dr. Moser to come forward and give an explanation. Dr Richard Moser, School Superintendent, went over the handout that was made available, which explained the requested additional funding. John Wilder questioned the status of the Center School Project. Robert Cruickshank, Business Manager explained that it will be at least another year before State funding will be made available. The Moderator read the Public Safety budget figures. John Wilder questioned the increase in the Police Department's personnel budget. The Manager explained that this increase is due to all the dispatchers now appearing under the Police Department's budget. The Moderator continued reading from the Dog Officer through the Town Engineer's budget. John Wilder questioned the increase. The Town Manager explained that a clerical position had been shifted from the Sewer Department to the Engineer's Department. The Moderator continue reading to the Board of Health where the Town Manager moved to increase the Budget by $1,760.00 under Personnel Services, for a total line item figure of $176,223. Which will reflect a total budget of $191,723. The Moderator continue reading under the Library budget through the Total Budget line item.

The Moderator asked for the total budget figure. The Town Manger gave the total figure of $52,173,202. He then explained that at the Special Town Meeting this figure would be reduced by $1,150,000.00 with Sewer Betterment money and a $2,000.00 transfer of Wetland Protection Act money to the Conservation budget. Bernard Lynch further explained that the total budget figured is $54,470,272 minus the total non-appropriated expenses, minus the warrant articles to be voted on, and minus the sewer user fee offset. Barry Balan moved that the body accept the total budget as presented. The Moderator asked for a show of hands on the figure of $52,173,202. motion carried, unanimously.

The budget article reads as follows:

Town Manager Bernard Lynch, moved that the Town vote to raise and appropriate the sum of $52,173,202 to defray Town charges for the fiscal period July 1, 1995 to June 30, 1996.

MUNICIPAL ADMINISTRATION

1. Personnel Services	$ 1,027,633
2. Expense	385,298
3. Out of State	4,500
4. Outlay	3,200
5. Legal Services	18,000
TOTAL	$ 1,438,631

EDUCATION
CHELMSFORD SCHOOL DEPARTMENT

6. Total Budget	$ 27,703,325

NASHOBA VALLEY TECH SCHOOL

7. Total Budget	$ 511,072

PUBLIC SAFETY

8. Personnel Services	$	5,526,656	
9. Expense		474,493	
10. Out of State		4,100	
11. Outlay		47,250	
TOTAL	$	6,052,499	
PUBLIC WORKS			
12. Personnel Services	$	1,115,498	
13. Expense		2,587,595	
14. Out of State		1,500	
15. Outlay		12,500	
16. Snow and Ice		350,000	
TOTAL	$	4,067,093	
SEWER COMMISSION			
17. Expense	$	15,000	
18. Out of State		2,500	
TOTAL	$	17,500	
CEMETERY DEPARTMENT			
19. Personnel Services	$	169,136	
20. Expense		14,925	
21. Out of State		500	
22. Outlay		0	
TOTAL	$	184,561	
COMMUNITY SERVICES			
23. Personnel Services	$	351,865	
24. Expense		148,018	
TOTAL	$	499,883	
LIBRARY			
25. Personnel Services	$	641,439	
26. Expense		214,332	
27. Out of State		1,500	
TOTAL	$	857,271	
UNDISTRIBUTED EXPENSES			
	$	5,392,620	
28. TOTAL			
DEBT & INTEREST			
	$	4,242,826	
29. Principal		1,889,805	
30. Interest		6,132,631	
TOTAL			
GROSS OPERATING BUDGET	$	54,470,272	
Warrant Articles	-	364,570	***Art 21**
Non Appropriations	-	1,248,616	**5/8/95**
Sewer Offset Receipts	-	683,884	**defeated**
R & A	$	**52,173,202**	
See Art 15 STM 5/4/95 Wetld. Spec Rev	-	2,000	
See Art 16 STM 5/4/95 Sewer Bents	-	1,150,000	
R & A	$	51,021,202	*** +150,000**
TOTAL R & A plus Art 21		**51,171,202**	

UNDER ARTICLE 3 Selectman Robert P. Joyce, moved that the Town vote to appropriate the sum of $1,100,000.00 for the following capital projects:

DEPARTMENT	ITEM	BUDGET
FIRE	Reburbish fire Truck	60,000.
	Station roof repair	15,000.
POLICE	Cruiser replacement	100,000.
	Police facility plan/engineering study	20,000.
	Police facility security surveillance sys	12,000.
DATA PROCESSING	Computer upgrades	30,000.
DPW	One ton truck - sewer	30,000.
	Old Town Hall repairs	35,000.
	Drainage	50,000.
	One ton truck	30,000.
	Vehicle for highway Superintendent	25,000.
DPW/SCHOOL SIDEWALK CONSTRUCTION	Sidewalk design & construction	300,000.
SCHOOL DEPT. HIGH SCHOOL	Cafeteria tables	7,000.
	HVAC	28,000.
	Microscopes	30,000.
MCCARTHY	Cafeteria tables & chairs	7,000.
PARKER	Student desks & chairs	20,000.
	Library/computer furniture	20,000.
	Intrusion alarm	15,000.
	Telephone system	24,000.
HARRINGTON	Intrusion alarm	15,000.
WESTLANDS	Intrusion alarm	15,000.
TECHNOLOGY	Work stations	102,000.
	Network School System	100,000.
MAINTENANCE	Backflow systems	10,000.
		$1,100,000

and to borrow the sum of $1,100,000.00 to fund these obligations.

The Town Manager explained the article. The Moderator asked for any questions. Hearing none, he then asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 4 Town Manager Bernard Lynch, moved that the Town vote to raise and appropriate, the sum of $150,000.00 to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General laws Chapter 40, Section 6.

The Town Manager explained that this is to be used by the

Finance Committee in the need of emergency funds. This figure has been used for the last six years, and has proved adequate. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 5 Town Manager Bernard Lynch, moved that the Town vote to transfer the sum of $12,500.00 from the sale of the Graves and Lots to the Cemetery Improvement and Development Funds.

The Town Manager explained the article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 6 Town Manager Bernard Lynch, moved that the Town vote to raise and appropriate the sum of $19,500.00 to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford.

The Town Manager explained that due to the Town receiving Federal Funds an audit must be done. The Town has a policy of annually conducting an audit of all it's books. The cost of the service is by comparable bid, of $19,500.00. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 7 Town Manager Bernard Lynch, moved that the Town vote to raise and appropriate the sum of $20,000.00 for the purpose of funding the sand lease approved by the Town under Article 12 of the 1989 Annual Town Meeting.

The Town Manager explained that this is the seventh year of a ten year lease of the land behind the Highway Department's garage on Richardson Road. It has been very beneficial to the town. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 8 Town Manager Bernard Lynch, moved that the Town vote to authorize the Town Manager and the Board of Selectmen to sell pursuant to the provisions of Massachusetts General Laws Chapter 30B Police Cruisers and appropriate the sum of $20,000.00 from funds received from said sales towards the purchase of communication radios for the police department.

Town Manager explained that in previous years the radios were kept and stripped for parts. Times have changed and the cost effective way is to sell these radio's at auction and use the funds to purchase new equipment. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 9 Selectman Robert P. Joyce, moved that the Town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the town in a certain parcel of land on Shore Drive, shown as

lots 35 & 36 on Assessor's Map 45, containing 6700 square feet and 4638 square feet more or less respectively; and more fully described in a deed recorded in the Middlesex North district Registry of Deeds in Book 6258, Page 149 and Book 3041, Page 53.

Rather then withdraw this article, The Town Manager requested that the article be defeated. The Moderator asked for the Finance Committee's recommendation. The Finance Committee supported the motion to defeat. The Board of Selectmen also supported the motion to defeat. The Moderator asked for a vote by way of a show of hands, motion defeated.

UNDER ARTICLE 10 Town Manager Bernard Lynch, moved that the Town vote to raise and appropriate $40,000.00 for the purpose of paving Mallory Street to Town specifications and to assess betterments to the residents benefited by the paving of Mallory Street pursuant to M.G.L. Chapter 80 for a percentage of the amount expended under this article.

The Town Manager explained that this is a new program. Due to this being a public way, which is not accepted the Town would do the necessary work. The cost is $40,000.00. and the provisions must be accepted by the four residences on Mallory Street before any work is to be done The Town would pay 25% which is $10,000.00 and the residents pay 75%, which is $30,000.00, which will be divided among them and attached to their taxes as a betterment fee. Due to the ongoing maintenance cost of grading the road over the years the Town will save $10,000.00. Questions were asked. John Wilder wanted to know if this will set a precedent, and how many roads are like this throughout the town. The Town Manager explained that this is a new program and if all the residents on a street accept the provisions it may be used in the future. There are approximately fifteen streets. John Emerson of the Sewer Commission added, that any of the dirt roads in the Freeman Lake area slated for sewage in the future will be paved after sewage is put in. The Town Manager explained that Mallory Street was not one of these roads. Discussion took place. Dennis Ready asked who owned the land if the road is not acceptable, the Town or residents? Town Counsel James Harrington came forward and explained that because it is a public way and a passable way the four landowners own the land up to the roadway. The Town does not own the legal title to the property. The Moderator asked for the Finance Committee's recommendation. Dwight Hayward, Chairman of the Finance Committee said that the Board did support the article, however, due to the cost being higher than originally anticipated, the Board will not make any recommendation at this time. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 11 Selectman Robert P. Joyce, moved that the Town vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Engineer:

1. Boyds Lane
2. Carter Drive
3. Adirondack Road
4. Omni Way
5. Peders Place

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, road improvements, and to vote to raise and appropriate, the sum of $5.00 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto.

The Town Manager explained that these are roadways that have gone through the Planning Board's subdivision process and are now in the opinion of the Town Engineer and Board of Selectmen ready to be accepted. Burton Lane which was on the original motion has been dropped due to legal questions at this time. The five mentioned with the exception of Peders Place, which is a new subdivision, are from old subdivisions and for one reason or another have not been accepted until now. He said that all the roads meet the Town's standards. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 12 Leonard Doolan III, moved that the Town vote to adopt a means of recording the votes of Town Meeting Representatives on each Town Meeting Article. Said record will be in the form of a Town Meeting Representative Voting Record Card which shall be distributed, collected, and maintained by the Town Clerk. The Voting Record Card shall include precinct number, representative name, session and year, article numbers with yes, no or abstain voting boxes, and signature line declaring that the votes recorded are true and correct.

Leonard Doolan requested that a Representative from each table come forward and pick up enough of the samples of the voting card for each Representative at each table. Leonard Doolan then explain that this is the tally card/voting record that each Representative will receive when checking in. Each Representative is to mark their vote on each article. It will show a Representative's attendance and allow the voter's to view how a Representative voted. The card may stay on file for perhaps five years. It is a relative easy system to follow. The thoughts were that only actual votes be recorded and not the procedural votes. It would not be a mandatory system. Many questions were asked. Glenn Thoren questioned what method would be considered the legal vote count. The actual tally done by the Moderator or the count done after viewing the cards? What if there is a wide difference. The Committee didn't think that there would be a major difference. The Moderator explained that the actual count taken would be the official count, not what is recorded on the cards. Glenn Thoren asked for Town Counsel's opinion on what the legal ramifications could be. Town Counsel James Harrington said that the actual hand count would be the official controlling count. It could be questioned after viewing the cards, however the official count would be the one conducted by the Moderator at the time. Brad Emerson asked if this was to be a voluntary procedure. Leonard Doolan explained that there is nothing in the article nor is

there a by-law that states that a official individual tally be kept. This would strictly be a volunteer effort. If a Representative didn't want to pass in a tally card that was his or her choice. Cheryl Warshafsky spoke in favor of the tally card for accountability purposes, would it be published? She also questioned why didn't the committee make it a mandatory process? Or just enforce the roll call procedure. Leonard Doolan said that as far as publication, the records would be made available to whoever. Roll call votes could still be requested at any time, this would not eliminate them. More questions took place. Kathleen Fitzpatrick questioned the Town Clerk, Mary St.Hilaire as to how many requests had there been to view the previous roll call votes? Her response was none. How do other committee's record their votes. Selectman Joyce explained that different committee's record the individual member's votes in their minutes of there meeting. Dolores Blomgren questioned if the card had been shown to the Town Clerk, or if any input had been sought from her. The Town Clerk had not been consulted one way or the other. The Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen did not recommend favorable action. A discussion took place. Michael Sockol wanted to amend the article. Town Counsel, James Harrington said that his motion was out of order. John Coppinger didn't like the Committee's recommendation at all. He felt that more should have been done for modifying the process. He felt that precinct captain's should be appointed and that Representatives sit together in precincts. He urged that this article be defeated and that another article be resubmitted which would address force actual organization and voting procedures of the Representatives. Town Clerk Mary St.Hilaire spoke against the article. It is to loosely written because it is not a mandated method of recording votes. She felt that it could put her office in a situation if a Representative chooses not to return the tally card and is later questioned for accountability on an article. The Moderator asked for a vote by way of a show of hands, motion defeated.

UNDER ARTICLE 13 Library Trustee, Elizabeth McCarthy, moved that the Town vote to authorize the design, construction and original equipping of a new library facility to be constructed as an addition to the existing Adams Library and appurtenant town owned properties, and further to authorize the Board of Library Trustees, Board of Selectmen, and/or Town manager to apply for any State and/or Town Manager to apply for any State and/or Federal funds which might be available to defray all or part of the cost of the design, construction and original equipping of the addition to the Adams Library to the Adams Library and to authorize the Board of Library Trustees to accept and expend any such funds when received without further appropriation under the supervision of the Town Manager.

The Town Manager explained that this article would allow the opportunity for the Library Trustee's to apply for a State grant in order to expand the Adams Library. This Library was last added onto thirty-five years ago. Satellite operations have been built up by purchasing adjacent properties, and other areas in Town. It is the second most utilized library in this region. It needs to expand. To create a larger space for selection, meeting rooms, make handicap accessible, and to meet the needs of the twenty-

first century in technology. Members from the Library Building Committee as well as the Architect of the proposed new Library expansion, were present for questions. Edward Cady asked how many personnel currently work at the Library, and how many new personnel would need to be hired. There are 22.1 full time employee's. Three more full time employees would be needed. What is the difference between an exemption and an over-ride. The Town Manager explained that an over-ride is built into the tax base, where an exemption is needed only for as long as it takes to pay the bond for a proposed project. David McLachlan questioned the language of the article. Bernard Lynch explained that the State provided the wording for the article. It was asked what the proposed cost for the project would be. For the average taxpayer if would be $50.00 for the first year in a ten year bond. Working it's way down to approximately $36.00 in the last year of the bond. The Moderator asked for the Finance Committee's recommendation. Chairman of the Finance Committee, Dwight Hayward explained that this would allow the Trustee's to go ahead and seek grant money that is available. A few years ago this body voted an extra $950,000.00 for the School Budget. The Town is going to be paying $950,000.00 plus 2 1/2 % each year indefinitely. This project if it goes ahead at maximum would be approximately $800,000.00 down to $0.00 in a ten year period. It should be a serious consideration and the Committee recommended the article. The Moderator asked for the Selectmen's recommendation. Selectmen Joyce said that the four who are present recommended favorable action. The Moderator asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 14 Town Manager Bernard Lynch, moved that the Town vote to amend the Traffic Rules and Orders Article VI. STOPPING, STANDING AND PARKING by adding the following:

Section 27A All Night Parking Prohibited
It shall be unlawful for the operator of any vehicle to park said vehicleon any street between the hours of midnight and 6 A.M. of any day from December 1st to March 31st.

The Town Manager explained that this had been a long standing by-law and had been discontinued about eight years ago. The problems cited were lack of available parking in certain neighborhood areas of North Chelmsford. It was felt that perhaps once sewage went through, driveways could be put in where the septic systems had been and the parking problems would be eliminated. Surrounding cities and towns have parking bans. Plows and emergency vehicles can not get by on certain roads and it has been requested by the Police and DPW that the overnight ban be reinstated. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was in favor of the article. The Board of Selectmen did not recommend the article. Jeff Stallard spoke against the article. He said that this would have an significant impact on the village of North Chelmsford. There are many narrow roads and it would propose a hardship. Bernard Lynch said that it is because of the narrow roads that this is all the more reason that there be no parking in order to allow emergency vehicles can get through the streets. Tom Christiano questioned the Board of Selectmen on their vote on the article. Robert Joyce spoke against the article. Peter Lawlor said that he was the only Selectman in favor. He felt that safety was the main issue, no matter how inconvenience a parking situation is. Susan Gates spoke

against the article. She viewed the Gay Street area and is aware of the lack of parking spaces adjacent to the properties. Roger Blomgren said that when the snow emergency ban is declared then use the tow trucks to remove any problem vehicles. Bill Dalton said that when he was a landlord in the area he did install a driveway, however, he know's first hand what the parking problems are. It would be hard on other landlord's who want to rent their property if an overnight parking ban is put back into effect. John Emerson spoke in favor of the article. As a past Selectman he traveled with the drivers of the plows and it is a tremendous safety hazard when plows can not get down a blocked street. A lengthy discussion took place. James Pearson DPW Superintendent spoke in favor of the article. Many questioned the need for a full time ban from November till April if there is only an average of a few snow storms per year. Rather than create a hardship for people for four months, the snow emergency ban should be enforced. Jeffrey Stallard moved the question. The Moderator asked for a show of hands, motion carried, unanimously. He asked for a vote by way of a show of hands, motion defeated.

Selectman Robert Joyce, moved to adjourn the meeting until Monday May 1st at 7:30 PM. The Finance Committee did not recommend the article. They wanted to continue on with the meeting. Philip Currier felt that the meeting should adjourn until the night of the scheduled Special Town Meeting of Thursday May 4th. The Moderator asked for a show of hands on the motion to adjourn, motion defeated and the meeting continued.

UNDER ARTICLE 15 Town Manager Bernard Lynch, moved that the Town vote to authorize the Town Manager to appoint a Harbor Master whose duties shall include the regulation of navigation and recreational boating on the Merrimack River to insure the safety of the boating public. The Harbor Master subject to the approval of the Town Manager shall be responsible for establishing rules and regulations and fee schedules for the use of the public launching ramp on Wotton Lane. The Harbor Master or his designee as approved by the Chief of Police shall police the operation of the public launching ramp and Merrimack River with the Town of Chelmsford and shall collect all fees and fines as provided in the rules and regulations. Subject to the approval of the Town Manager, the Harbor Master shall be authorized to apply for any State and/or Federal Funds or grants which might be available to defray all or part of the costs of establishing or maintaining this position and further to authorize the Harbor Master, under the supervision of the Town Manager to accept and expend any such funds without further appropriation.

Town Manager explained that the purpose of this article is to control the boat traffic on the Merrimack River. The Town would work with the City of Lowell and the Town of Tyngsboro. Patrols would be put into place that would make people abide by the rules and regulations established by the Commonwealth. Fee's could be collected at boat ramps. Due to public access regulations, the Town couldn't limit the public access. A fee could be charge pending approval from the Commonwealth. Town residents could be charged a different rate than non-residents. This would allow a mechanism for control. Currently people do not abide by the rules. The consumption of alcohol is a big factor while

driving on the river. There have been accidents and deaths as a result of the abuse. Steve Hadley questioned the amount of fee to be charged. The Town Manager said perhaps $4.00 or $5.00 a launch. A discussion took place. Representatives spoke for and against the article. Chief Armand Caron spoke in favor of the article. The Moderator asked for the Finance Committee's recommendation. The Finance Committee supported the article due to public safety. The Board of Selectmen were in favor of the article. Steve Hadley wanted a sticker for Town residents to be established. Bernard Lynch and Armand Caron agreed. Both expressed that this proposal will be addressed and pursued but must be approved by the State. Susan Gates spoke about the Quinn bill that had just been past by Legislation. It is a direct result of a fatal boating accident that had taken place within the last few years. She felt that the issue is public safety and urged for passage. George Ripsom spoke against the article. The Moderator asked for any further discussion. Hearing none he asked for a vote by way of a show of hands on the article. Motion carried.

Philip Currier moved to adjourn the meeting until the conclusion of the Special Town Meeting, scheduled for 7:30 PM Thursday May 4th, at the Senior Citizen Center. The Moderator asked for a show of hands, motion carried.

The meeting adjourned at 11:10 PM.

_____ _____

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

SPECIAL TOWN MEETING
MAY 4, 1995

The Special Town Meeting was called to order at 7:30 PM, at the Senior Citizen Center by the Moderator Dennis J. McHugh. The Moderator recognized the presence of a quorum, there were 155 Town Meeting Representatives present.

The Moderator made some public announcements. The Adams Library will be celebrating it's hundred year birthday on this Sunday May 7th from 2-4 PM., and invited the public to attend the celebration.

Friday April 28th was Student Government Day in the Town. He read the list of the Students and the positions that they participated in. They are as follows.

Selectmen
James Rines
Erik Olsson
Michael Harrington
Jason Hanscom
Melissa Eisenmann

Board of Health
Matthew Gannon
Matt Sager
Tony Silvia

Sewer Commission
Tom Peal
Jessica Loyer
Brian Mycko

Cemetery Superintendent
Chris Wu

Cemetery Commission
Matthew Tevlin
Mark Wahley

Housing Authority
Kerri Dixon

School Committee
Jeremy Davis
Carolyn Bleck
Kevin Curtin
Lisa Gibson

Planning Board
Jennifer Pattison
Rebecca Ann Morse
Sean Scanlon

State Senator
Scott Richard

State Representative
Debra Sheehan

Library Trustee

Jonathan Quimby
Dave Crow

Town Accountant
Kerri Dufresne

Police Chief
Danielle Demers

Ass't Police Chief
Tov Birke-Haveisen

Fire Chief
Chad McMurrer

Ass't Fire Chief
Nick Holleman

Superintendent of Street
Barry Clegg

DPW Director/Town Engineer
Koi Birke-Haveisen

Building Inspector
Connie Adams

Superintendent of Public Bldgs
Katrina Thompson

Superintendent of Schools
James Davis

Town Manager
Mike Jarasitis

Ass't Town Manager
Lisa Azzalina

Council on Aging Director
Jennifer Andrade

Finance Committee
Stephen Woodbury
Jaime Tousignant
Bill Allen

Town Clerk
Jennifer Fleming

Treasurer and Tax Collector
Dave Dickieson

Board of Assessors
Courtney Leary
Michael Langtagne
Christina Tsandikos

Land Use Corordinator
Chris Gennell

Recreation Director

Katie Morrison

Data Processing
Jeff Stander

Selectman Robert P. Joyce moved to waive the reading of the Constable's return service and the posting of the warrant be waived. The Motion carried unanimously, by a show of hands. Selectman Robert P. Joyce moved that the reading of the warrant be waived. The Moderator asked for a show of hands, motion carried, unanimously by show of hands.

UNDER ARTICLE 1 Selectman Robert P. Joyce, moved that the Town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land on Main Street, shown as Lot 33 on Assessor's Map 194, containing 4850 square feet more or less and more fully described in a deed recorded in the Middlesex North district Registry of Deeds in book 787, Page 328.

The Town Manager Bernard Lynch explained that this was the old fire station building located on Main Street in West Chelmsford. The minimal bid would be $18,000. Jeff Stallard questioned if provisions would be made to provide storage for the groups who use the facility now. The Town Manager said provisions would be made. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 2 Selectman Robert P. Joyce, moved that the Town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the town in a certain parcel of land on Bentley Lane, shown as Lot 49 on Assessor's Map 204, containing 39,000 square feet more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2153, Page 301.

The Town Manager explained that a resident was interested in purchasing this property from the Town. According to the Building Inspector the lot was left over from a subdivision that had been developed in 1959. At that time the building lot requirements were 30,000 sq ft, therefor this is considered grandfather and is a buildable lot. There is a wetland issue which must be addressed prior to any building taking place. The lot had been assessed previously with a value of $7,400. Now that it's been deemed a buildable lot it's value is $60,000. A number of questions were asked. John Hickey who has been an resident on the street since the street was developed and is a abutter to the lot, questioned why after all these years is the lot considered buildable, even though there is a brook going through the property? The Town Manager explained that sewage will be coming into the area within the next three to five years. Once this happens, a septic system will not be required, which is part of the reasoning of why the lot was considered non-buildable. As for the brook running through the property, the wetland bylaw addresses the distance a building must be in order to comply with the bylaw. There is enough room on the property to build and stay within the law. Robert Troy an abutter who lives

next to another lot that the brook runs through, and has no water problems now, asked what guarantee would the Town give him that he would not have a water problem even if everything is done correctly? Town Counsel James Harrington said that he could bring suit against the builder if he could prove that the problem was caused by the construction. Shirley Lindsey an abutter who's property is right next to the lot in question says the brook runs through the back part of her property, and was concerned about it flooding. During the spring the Brook does rise, and felt that it would all end up on her property. Leonard Doolan asked if the land could be sold but not built on? An amendment could be made specifying this request. The Moderator asked for the Finance Committee's recommendation. The Finance Committee supported the article. The Board of Selectmen supported the article. The Moderator asked for a vote by way of a show of hands, motion defeated.

UNDER ARTICLE 3 Town Manager Bernard Lynch, moved that the Town vote to authorize the Town Manager and the Board of Selectmen to sell pursuant to the provisions of Massachusetts General Laws Chapter 30B self propelled asphalt paving machine and 1987 Ford Crown Victoria automobile and appropriate the sum of $25,000.00 from funds received from said sales towards the purchase of a hydraulic catch basin cleaner for a Department of Public Works truck.

The Town Manager explained the article. The Finance Committee supported the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 4 Selectman Robert P. Joyce, moved that the Town vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple with the trees thereon by purchase, eminent domain, or otherwise, for the property located in the town of Chelmsford Massachusetts and further described and shown on a set of plans entitled "Plan of Sidewalk Easements, Pilgrim Road, Chelmsford, Ma prepared for the Town of Chelmsford, April 1995." by Town of Chelmsford Engineering Division, and "Plan of Sidewalk Easements Old Westford Road, Chelmsford, Ma prepared for the Town of Chelmsford, April 1995," by Town of Chelmsford, Engineering Division, said plans to be presented at Town Meeting, for the purpose of constructing and maintaining sidewalks and all other appurtenances thereto.

The Town Manager explained that this was an annual article regarding the sidewalk project. Its funding is in the Capital Improvement article. The Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried unanimously.

UNDER ARTICLE 5 Peter Dulchinos moved to dismiss this article. The Town Manager explained that the Attorney representing the land owner requested that the article be dismissed. The Finance Committee supported the motion to dismiss. The Board of Selectmen supported the motion to dismiss. The Moderator asked for a show of hands, motion carried. A portion of the article appears below:

To see if the Town will vote to amend the existing town of Chelmsford Zoning Map by changing the following described property from a Special Industrial District (IS) to a Single Family Residential District (RB):

The land of Oak Hill Road, Chelmsford, containing 48.6 acres and further described as follows:

Legal Description of Proposed Re-Zoning of
Property Adjacent to Oak Hill Road, Chelmsford

A certain parcel of land situated in Chelmsford and being shown with a plan entitled "Definitive Subdivision Plan of Land" Oak Hill Road, prepared for Altid Enterprises Limited Partnership, dated October 12, 1994 prepared by Land\Tech Consultant, Inc. and bounded and described as follows:

(note: SEE ACTUAL WARRANT ARTICLE ON FILE IN TOWN CLERK'S OFFICE, TOWN MEETING RECORDS FOR DESCRIPTION)

UNDER ARTICLE 6 Town Manager Bernard Lynch, moved that the Town vote to amend the vote passed under Article 3 at the 1994 Annual Town Meeting, authorizing the borrowing of $6,093,399 for the Center School renovation project, by adding the following clause: "provided that the Town may incur debt for planning and other preliminary expenses at any time after the Town's application for a state construction grant has been included by the State Department of Education on its published list of project applications, showing the priority assigned to the project."

The Town Manager explained that the language that had been inserted into the article last year has restricted the process for submitting the necessary plans for obtaining funding. Bond Counsel has advised that the article be submitted as stated in article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. A 2/3's vote is required. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 7 Town Manager Bernard Lynch, moved that the Town vote to amend the vote passed under Article 16 at the 1993 Annual Town Meeting authorizing the borrowing of $281,254. for the library land acquisition, and to rescind the balance of the authorized but unissued debt in the amount of $119,998.

The Town Manager explained the article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. This article requires a 2/3's vote. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 8 Town Manager Bernard Lynch, moved that the Town vote to transfer the following sums within the fiscal year 1995 budget.

1. Line Item 28. Undistributed Expenses to be reduce by $209,700.

2. Line Item 30. Interest to be reduced by $90,300.

3. Line Item 8. Public Safety Salaries to be increased by $290,000.

4. Line Item 19. Cemetery Salary to be increased by $5,000.

5. Line Item 23. Community Service Salary to be increased by $5,000.

The Town Manager explained that this was a modification to the FY95 budget. Monies will be transferred from surplus funds in budgets to be used in the budgets who need the money. Glenn Thoren questioned if these figures had been available prior to this meeting? Bernard Lynch said that they were at the forum he held two weeks ago.

UNDER ARTICLE 9 Selectman Robert P. Joyce, moved that the Town vote to amend the General By-laws Article VII MISCELLANEOUS by adding the following:

Section 13 Licensing of Fortune Tellers

1. No person shall tell fortunes for money unless a license therefor has been granted by the Board of Selectmen

2. Licenses shall be granted only to applicants who have resided continuously in the Town for at least twelve months immediately proceeding the date of the application.

3. Licenses issued under this section may not be transferred or assigned.

4. The fee for each license granted under this section shall be fifty dollars.

5. Violation of this by-law shall be punishable by a fine of $100.00 for each offense. Each day that such violation continues shall constitute a separate offense.

Lieutenant Francis Roark from the Police Department came forward and explained the purpose of the article. There has been problems in the past with elderly people being taken advantage of. In order to be able to enforce a by-law has to be on the books. David McLachlan questioned the reasoning. Lieutenant Roark said that the main purpose was to be able to enforce a twelve month residency requirement prior to receiving a license. Susan Gates asked wasn't it easier to prove a person guilty of not having a license rather then committing fraud? Lieutenant Roark said exactly. The Police would be able to enforce the by-law if there was no license. The Finance Committee supported the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 10 Dennis Ready moved that the reading of the article be waived. The Finance Committee and the Board of Selectmen were in favor of the motion. The Moderator asked for a show of hands, motion carried. Lieutenant Roark

explained that the main purpose of this by-law was to be able to enforce control and monitoring of the selling of jewelry to second hand dealers in precious and or old metals. By having the requirement of a license the licensee will be subject to abiding to all the provisions of the by-law. Edward Cady questioned the need for this type of by-law.

Lieutenant Roark explained that due to the amount of housebreaks in the area, the requirement of lists being made available will enable the Police to identify stolen items. A number of Representatives asked questions concerning the fee, the lack of co-operation if any from shop owners, and the procedure required. The Moderator asked for the Finance Committee's recommendation. Dwight Hayward, Chairman of the Finance Committee said that they didn't want to make any recommendation on the article. The Selectman recommended the article. A lengthy discussion took place. Edward Cady felt that this would impose a hardship on the shop owners. Barbara Ward questioned if this would include antique or jewelry store owners where they deal in estate jewelry? These stores would also be required to be licensed. More discussion took place. James Good moved the question to stop debate. The Moderator asked for a show of hands. This left the Chair in doubt. The following tellers came forward, Lucy Simonian, Patricia Plank, Dorothy Frawley, John Maleski. The Moderator attempted a show of hands once again, motion carried to stop debate. He asked for a show of hands on the article, which left the Chair in doubt. He asked the tellers to take a hand count. The result of the hand count was: Yes 73 No 65, motion carried. The article reads as follows:

Selectman Robert P. Joyce, moved that the Town will vote to amend the General By-laws Article VI Police Regulations by adding the following:

Section 24 Licensing and Regulation of Second Hand Precious Metal Shopkeepers

1. The Board of Selectmen may, upon petition, license such person as they deem suitable to be second hand dealers in precious and/or old metals and keepers of shops for the purchase, sale or barter of such article, pursuant to the law within the Town. Such licenses shall be valid to protect the holders thereof in a building or place other than that designated in the license, unless consent to removal is granted by the Board of Selectmen. All licenses thus granted shall contain a clause that the person thus licensed agrees to abide by and be subject to all the provisions of this by-law or any by-law which may be adopted by the Board of Selectmen relating to dealers in or keepers of shops licensed for the above purposes.

2. Applications for such licenses shall be examined and reported upon by the Chief of Police or his designee (s). The Chief of Police shall report whether or not he is of good reputation, can read and write the English language intelligibly, (but inability to do so shall be grounds for denial of said license) has ever held a similar license and if such licence was revoked, suspended or surrendered, the reason therefor.

3. Applications for new licenses under this by-law may be filed at any time. Applications for the reissue of licenses already existing should be filed at least thirty days before the expiration of such license. All licenses issued under the by-law shall expire annually on the first day of May except that licenses may be issued in April to be valid for twelve months beginning the next succeeding first day of May. Persons whose licenses have expired and have not been reissued will be liable to prosecution for engaging in any business for which the

license is required.

4. When a licensee has failed to use his license for a period of thirty days in the business and at the place for which he was licensed, the Chief of Police through his designee will so report with such reasons for the failure as the licensee may give.

5. As used in this by-law, precious metals shall mean any object constructed of or electroplated with Gold, Silver, or Platinum, regardless of its form, weight or appearance.

6. Every such shopkeeper shall keep a book in which shall be written, at the time of every purchase of any such article, a particular description thereof and the name, date of birth, and residence of the person from whom, and the day and hour when, such purchase was made. The shopkeeper shall also require positive (picture) identification to confirm that the above information is accurate. The shop of such shopkeeper, and all articles of merchandise therein, and such book shall at all times during business hours be open to inspection of the Board of Selectmen, Police Officer of the Town or any persons authorized by the Board.

   Every such shopkeeper shall require a person from whom he makes a purchase to provide positive identification (positive identification shall mean any picture identification card issued by a governmental agency) and to sign his name, date of birth, and address on a card, the style and size of which shall be approved by the Police Department. In those transactions where precious metals and/or gems, regardless of form, weight or appearance, are purchased, said positive identification together with the items of precious metal and/or gems and each transaction sheet shall be photocopied. In the event that such person is unable to write, the shopkeeper shall fill in the name, date of birth and address obtained from the positive identification required above on such card, together with a notation stating that such person was unable to do so.

   Such card shall be retained permanently in an alphabetical index filed by the licensed shopkeeper in precious and/or old metals. Every such shopkeeper shall, at the time of making any purchases, attach a number to EACH article bought, traded or bartered and shall make entry of such number in the book described above.

   If the articles obtained by the second hand precious and/or old metal shopkeeper through purchase, trade, or barter are of precious metals or gems, the shopkeeper shall also list in said book as described above and on said card as described above, the weight and current market value of each article obtained.

7. Any Police Officer of the town, as a designee of the Board of Selectmen, may, during business hours, enter upon any premises used by a licensed second hand precious and/or old metals shopkeeper to ascertain how he conducts his business, and examine any and all article taken in trade or kept or stored in or upon said premises and all books and inventories relating thereto, and all such

article, books and inventories shall be exhibited to any such Officer whenever a demand shall be made for such exhibition. Refusal to permit said viewing shall constitute a violation of this by-law. The Officers actions shall at all times conform to the established Policy and Procedures of the Chelmsford Police Department pertaining to inspections of licensed premises.

Such book shall be of a size and style to be approved by the Chelmsford Police Department, shall be legibly written in the English language, and shall show the amount paid for each article and the number attached to each article in accordance with the above requirements. No entry in such book shall be erased, obliterated or defaced.

Every such shopkeeper shall make out and deliver to the commanding officer of the Bureau of Investigative Services, Chelmsford Police Department, every business day before the hour of 10 o'clock A.M. a legible and correct list containing an accurate and detailed description of all articles purchased during the preceding business day, the respective numbers of such articles as required above, the prices paid therefor, and the time when such articles were purchased, and with regards to the purchase of items containing precious metal, and/or gems, either the original photocopy or a copy thereof which shows the positive identification legibly, the items purchased and the transaction sheet, as described above.

The Commanding Officer of the Bureau of Investigative Services will designate an Officer of his command who will review each Police report received listing lost/stolen property and also ensure that a report is received from all precious and/or old metals shopkeepers for the purpose of identifying any article that is like or similar to one which has been reported lost or stolen. Should this situation occur, a "stop order" shall be issued by the Chief of Police or his designee, to the shopkeeper prohibiting the resale of the particular article (s) until it can be determined whether the particular piece (s) is in fact that which has been reported lost/stolen. If it is determined that the particular article is not reported lost/stolen, then the "stop order" shall be lifted forthwith.

8. Every such shopkeeper shall post in a conspicuous place in his shop a copy of the by-laws relating to dealers in precious and/or old metals, to be furnished by the Police Department, and shall put in some suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed thereon in large letters.

   No such shopkeeper shall have his shop open for the transaction of business, nor shall he purchase any precious and/or old metals, except between sunrise and 9 o'clock in the evening of any week day except Saturday, on which day such shop may be kept open and such articles purchased from sunrise until 10 o'clock in the evening.

9. No person licensed under this by-law shall, directly or indirectly, either purchase or receive by way of barter or exchange any precious and/or old metals or gems from a

minor, or apprentice knowing or having reasonable cause to believe him to be such.

No such shopkeeper holding a license as a dealer in precious and/or old metals or gems, shall permit to be sold any article purchased or receive by him until at least a period of thirty days from the date of its purchase or receipt has elapsed.

10. Any person who acts as a dealer in or keeper of a shop for the purchase, sale, or barter of precious and/or old metals without a license, or in any other place or manner than that designated in his license or after notice to him that his license has been revoked, or violates any such rule, regulation or restriction of this by-law, shall forfeit two hundred dollars for each such violation.

UNDER ARTICLE 11 Town Manager Bernard Lynch, moved that the Town vote to transfer and appropriate $14,355. from the sale of Land Special Revenue Account for the purpose of purchasing playground equipment for Roberts Field under the supervision of the Town Manager as recommended by the Friends of the Park.

The Town Manager explained that this would be a joint effort by volunteers to replace existing playground equipment at the Roberts Field playground for a total cost of $70,000. There has been $40,000 raised already by the volunteers. He wanted to transfer the money from the sale of town owned land account to the project which will allow the project to be completed within the next six months. Jeffrey Stallard questioned what the maintenance costs would be within a five year period? The Town Manager thought $1,000. The Town would go out on competitive bid for replacements. Christopher Garrahan requested that more equipment be provided for the Varney Playground. The Town Manager agreed that there is a need there and other area's in Town, East Chelmsford Field and the Mill Road Field all have requested equipment. The Finance Committee recommended the article. The Board of Selectmen are in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 12 Selectman Robert P. Joyce moved that the Town vote to authorize the Board of Selectmen to acquire in fee simple the land together with any appurtenant rights or easements along with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property known as the Apple Country Club located at 66 Park Road in the Town of Chelmsford, Massachusetts; shown as lot 16 on Assessor's Map 164, containing 31.50 acres more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2399 Page 194; and shown as lot 18 on Assessor's Map 164, containing 9148 square feet more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2399 Page 194; and shown as lot 19 on Assessor's Map 164, containing 3,950 acres more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 5602 Page 134; and move that the Town vote to borrow the sum of $1,250,000 to defray all necessary costs, fees and expenses in connection with the acquisition

of said land and for a paying any damages which may be awarded as a result of any such taking.

Selectman Robert Joyce said that the entire Board of Selectman supported the article. He had provided a slide presentation that showed the area. Selectman Peter Lawlor made a verbal presentation to the Body. He addressed the issues concerning the reasoning and cost of obtaining this track of land. It is a one time opportunity for the Town. In order to keep the land undeveloped the Town must take the land by eminent domain. The assessed value is $1,700,000. The Town allowed the current owners to pay on an assessed value rate of $1,1,000.00 provided that they keep the land as recreational use. The Board had the land appraised, the figure is $1,250,000. It will take out a ten year bond which will cost $166,000. per year and remain a golf course that would be town owned. If no action is taken then the land will be sold to a developer. The total land in question could be subdivided into twenty-eight house lots. The Town Manager came forward and gave a financial analyst. This covered the debt, operation and lost tax revenue. Total Operational cost per year would be $210,000. The total lost in tax revenue if twenty-eight homes were to be developed would be $165,000. per year. The yearly estimated revenue is $346,000., which includes plans for a possible added driving range and increase the fees. Most importantly there will be the protection of open space. If the proposed twenty-eight homes are built the potential costs with 1.5 students per home is $223,400. He listed six other municipal owned courses and their revenue and expenses. The Moderator asked for questions. Karen Ready wanted to know if this site would be available for the annual winterfest activities? Yes it would be used in the winter and the recreation commission would take advantage of it during the rest of the year. Robert Hayes Chairman of the Recreation Commission stated that the Recreation Commission was in full support of this article and urged for the body to pass the article. A number of Representatives asked questions concerning the eminent domain process, the possibility of re-selling it in the future. The Manager said that the cost would be $14.00 per year on a home assessed at $177,000. The Finance Committee supported the article. The Board of Selectmen recommended the article. Joseph Shanahan who represented clients whose interests were in the development of the land. He had the land appraised and based on the proposed development of twenty-eight lots the value is $1,800,000. If the Town wanted to amend the article to read up to $1,530,000. his clients would sell the land and thus avoid a land damage claim. James Harrington, Town Counsel said that the Town's figure of $1,250.000 was a good and fair price. It's based on the current conditioned of the land, not what could happen in the future if developed. George Ripsom spoke in favor of the article. He reminded the Representatives about the Roberts Field property that the Town purchased over twenty years ago, and what the alternative results could have been if a development went in. Henrick Johnson moved the question to stop debate. Motion carried, unanimously, by a show of hands. The Moderator asked for a vote on the motion by a show of hands, motion carried, unanimously.

Michael Sockol moved to adjourn the meeting due to the lateness of the hour. The Moderator explained that the next two articles were going to be withdrawn and there were only a few more article to act upon. He requested that the business

of the Special meeting be completed then a motion to adjourn be made. Michael Sockol withdrew his motion to adjourn.

UNDER ARTICLE 13 Wendy Marcks, Chairman of the School Committee moved to withdraw this article. The Finance Committee was in favor of the withdrawal. The Board of Selectmen supported the motion to withdraw. The Moderator asked for a show of hands, motion carried, unanimously.

The article read as follows:

Chairman of the School Committee Wendy Marcks moved that the Town vote to amend the General By-laws Article VII MISCELLANEOUS by adding the following:

Section 14 Town of Chelmsford Education Fund

A. PURPOSE

The Town of Chelmsford Education Fund is established in accordance with the provisions of M.G.L. Chapter 60, Section 3C as amended by the Acts of 1993 to provide supplemental educational funding for local educational needs.

B. DEFINITIONS

1. Local educational needs shall be defined as the needs of those schools and students which are under the jurisdiction of the Local Education Agency (LEA) which is the Chelmsford Public Schools.

2. Supplemental educational funding shall be defined as that which adds to or enhances the educational opportunities provided by the Local Educational Agency and funded by the Town of Chelmsford. Supplemental funding cannot

   a) take the place of funds requested in the Chelmsford School Committee's annual budget request which support the essential curriculum and programs of the Chelmsford Public Schools;

   b) create new ongoing programs which cannot be supported in the future by the Chelmsford Public Schools; or

   c) provide for the continuation of programs which the Chelmsford Public Schools no longer support.

C. THE CHELMSFORD EDUCATION FUND COMMITTEE

1. There shall be established a Chelmsford Education Fund Committee to administer the Chelmsford Education fund and to authorize the expenditure of its funds.

2. Members of the Chelmsford Education Fund Committee shall be the Superintendent of Schools and five residents of the Town, appointed by the Selectmen.

3. Appointment of three year terms will be made in accordance with the statute. Upon initial formation of the Committee, terms of members will be arranged so that the terms of as nearly an equal number of members as is possible shall expire each year.

D. MEETINGS

1. The Chelmsford Education Fund Committee shall meet quarterly and at other times as are deemed necessary and appropriate for the conduct of Committee business.

2. A quorum for purpose of transacting business shall consist of four members, decisions shall be based upon the vote of a majority of the members present.

3. The Town Treasurer shall provide the Committee with quarterly financial reports on the status of the Chelmsford Education Fund.

E. PROCEDURES

1. Written proposals requesting supplemental funding from the Chelmsford Education Fund shall be submitted to the Chelmsford Education Fund Committee at least two weeks before a meeting and shall be presented according to the format specified by the committee.

2. Application for such funds may be made by the Chelmsford School Committee through the Superintendent of Schools, by a School Council (as established under M.G.L. Chapter 71, Section 59C) by members of the professional staff employed by the Chelmsford Public Schools.

3. All requests for supplemental funding must support the mission and beliefs of the Chelmsford Public Schools and be in accordance with Chelmsford School Committee policy.

Section 15 TOWN OF CHELMSFORD SCHOLARSHIP FUND

Prior to establishing a Scholarship Fund pursuant to M.G.L. Chapter 60, Section 3C the Town shall adopt a comprehensive by-law governing its administration.

UNDER ARTICLE 14 Wendy Marcks, Chairman of the School Committee moved to withdraw this article. The Finance Committee was in favor of the withdrawal. The Board of Selectmen supported the motion to withdraw. The Moderator asked for a show of hands, motion carried, unanimously.

The article read as follows:

Chairman of the School Committee Wendy Marcks moved that the Town vote to accept the provisions of Massachusetts General Laws, Chapter 60, Section 3C as amended by the Acts of 1993 relative to providing for financial aid donations accompanying municipal or motor vehicle excise tax payments.

UNDER ARTICLE 15 Town Manager Bernard Lynch, moved that the Town vote to transfer $2,000.00 from Conservation fees under Wetlands Special Reserve Fund to reduce the Conservation Commission Budget Fiscal Year 1996.

The Town Manager explain the article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 16 Town Manager Bernard Lynch, moved that the Town vote to transfer $1,150,000. from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and

interest in the Fiscal Year 1996 Budget.

The Town Manager explain the article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Seeing that there was no further business at hand, Michael Sockol moved to adjourn the Special Town Meeting. The Moderator asked for a show of hands, motion carried, unanimously. The meeting adjourned at 10:50 PM. The Moderator reconvened the Annual Town Meeting. Selectman Robert P. Joyce moved to adjourn the annual meeting until Monday, May 8th to the Senior Citizen Center on Groton Road. The Moderator asked for a show of hands on the motion to adjourn, motion carried, unanimously. The Meeting adjourned at 10:55 PM

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Dennis E. McHugh,
Moderator

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Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING
MAY 8, 1995

The Adjourned Annual Town Meeting was called to order at 7:30 PM, at the Senior Citizen Center by the Moderator Dennis J. McHugh. The Moderator recognized the presence of a quorum, there were 132 Town Meeting Representatives present.

The Moderator asked that the Town Meeting Body have an moment of silence in honor of the fifty year V E Day celebrations that were going on all over the world. He asked that the body remember those who served and those who gave their lives. He thanked the body, and the meeting continued.

UNDER ARTICLE 16 Dennis Ready moved that the Town vote that the Town Manager under reports of the Town Officers and Committee shall give a brief report on the outcome or status of each article passed by Town Meeting at an Annual or Special meeting held ten or more months prior. The Manager will not be required to report on zoning or budget articles.

Dennis Ready explained that this would require that the Town Manager give a brief report on the articles that were past at the previous year's meeting. It should be brief, perhaps no longer than five to ten minutes, and it would be given under article 1, which is where all the reports if any are given.

He asked that the Town Manager come forward and give a quick report on the Senior Citizen rebate tax program. Bernard Lynch explained that this is a yearly article. It will be addressed under article 20 on this warrant. It allows a one chance time for Senior Citizens to do a hundred hours of volunteer work and once completed receive a credit towards their tax bill. Chelmsford has been chosen as a model town with this project.

The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands on the article, motion carried.

UNDER ARTICLE 17 Selectman Robert P. Joyce, moved that the reading of this article be waived. The Moderator asked for a show of hands, motion carried. Town Counsel James Harrington, explained that the Town Clerk had requested this article in order to simplify the tracking of the write-in votes during the annual Town elections. At times, names are written in as candidates under the write-in section on a Town ballot. A record must be kept and in the event of an opening, if the next person in line is tied in votes with another person then the remaining representatives must meet and break the tie. By having a rule that only those names that receive ten votes will be considered actual candidates, and appear on the reserve list. It will end any confusion. The Finance Committee was in favor of the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously. The article reads as follows:

Selectman Robert P. Joyce, moved that the Town vote to amend the Chelmsford Home Rule Charter under Part II Legislative Branch/Representative Town Meeting, Section 2.5(d) Filing Vacancies by deleting the following:

(d) Filling Vacancies

Any vacancy in the full number of town meeting members from any precinct shall be filled by the person receiving the highest number of votes among the defeated candidates at the last election. In the absence of such candidate, the vacancy shall be filled until the next annual town election by the remaining town meeting members from the precinct, from among the voters in said precinct.

(d) Filling Vacancies

Any vacancy in the full number of town meeting members from any precinct shall be filled by the person receiving the highest number of votes among the defeated candidates at the last election. In order to be eligible to fill a vacancy as a defeated candidate a write-in Candidate shall have received at least TEN (10) votes in the most recent election. In the absence of such candidate, the vacancy shall be filled until the next annual town election by the remaining town meeting members from the precinct, from among the voters in said precinct.

UNDER ARTICLE 18 Christopher Garrahan of the Conservation Commission moved that the reading of this article be waived. The Moderator asked for a show of hands, motion carried, unanimously. Christopher Garrahan addressed the body. He explained that this was basically the same by-law that is presently on the books. It was felt that the wording in certain areas needed to be user friendly, or clarified slightly more. It would be easier to understand, and he asked for support on the article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously. The article reads as follows:

Christopher Garrahan of the Conservation Commission moved that the Town vote to amend the General By-Laws Article XI General Wetlands By-Law by deleting the existing Article XI in its entirety and replacing it with the following article XI:

ARTICLE XI

GENERAL WETLANDS BYLAW

SECTION 1 PURPOSE

The purpose of this Bylaw is to protect the wetlands of the Town of Chelmsford by controlling activities deemed to have a significant effect upon wetland values, including but not limited to the following: public or private water supply, groundwater supply, flood control, erosion control, storm damage prevention, water pollution prevention, fisheries, shellfish, wildlife, recreation and aesthetics (collectively, the "interests protected by this Bylaw").

SECTION 2 JURISDICTION

Except as permitted by the Conservation Commission or as provided in this Bylaw, no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following resource areas: any freshwater

wetlands; marshes; wet meadows; bogs; swamps; vernal pools; banks; reservoirs; lakes; ponds of any size; rivers; streams; creeks; beaches; lands under water bodies; or lands within 100' of the aforesaid resource areas; lands within the 100 year floodplain, either calculated or mapped; (collectively the "areas subject to protection by this bylaw"). Said resource areas shall be protected whether or not they border surface waters.

SECTION 3 PROVISIONS

The construction of any building, as defined herein on any lot having an area of 40,000 square feet or more, or any parking lot containing 10 or more parking spaces, shall be prohibited within 50 feet of any resource area.

Construction of a building shall not include any reconstruction, alteration, extension or structural change to a building existing on October 15, 1990.

The Commission shall be prohibited from issuing a permit for any parcel where at least eighty (80) percent of the lot area required by the Zoning By-Law Section 2600 Intensity of Use Schedule, Minimum Lot Requirements, is not contiguous land other than that under any water body or bog, swamp, wet meadow, marsh, or any other wetland as defined in MGL Chapter 131 Section 40;

If any provision of this bylaw shall be determined to be invalid, the validity of the remaining portion of the bylaw shall not be affected thereby. The commission may waive the 50 feet construction prohibition contained herein where the Commission specifically finds that literal enforcement of the prohibition would involve substantial hardship, financial or otherwise to an applicant and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this by-law.

SECTION 4 CONDITIONAL EXEMPTIONS

This bylaw shall not apply to the following types of projects:

A. Work required for the maintenance, repair or replacement, but not the substantial changing or enlarging, of an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunications services;
B. Emergency Projects as defined in MGL Ch. 131, s. 40 which are necessary for the protection of the health and safety of the citizens of the Commonwealth and to be performed or ordered to be performed by an agency of the Commonwealth or of the Town. An emergency project may be any project certified to be an emergency by the Commission or its authorized agent.
C. Work performed for normal maintenance or improvement of lands in agricultural use at the time the work occurs.

SECTION 5 DETERMINATION OF APPLICABILITY

Any person may request the Conservation Commission to

make a determination as to whether or not this Bylaw applies to a particular area of land.

This request shall be sent by certified mail or hand delivered to the Commission or its authorized representative. If the applicant is other than the owner, the applicant shall send a copy of the request to the owner. If the applicant hand delivers the request to the Commission, he/she shall be given a dated receipt.

The Commission shall determine, within 21 days of receipt of such request, whether this Bylaw does apply to the particular area of land. The Commission will send to the applicant a Determination of Applicability.

The Determination of Applicability will be sent to the applicant by certified mail. If the applicant is other than the owner, the Commission will send a copy of the Determination to the owner by certified mail.

SECTION 6 NOTICE OF INTENT

If the particular area of land is subject to this Bylaw, then the applicant must file a Notice of Intent. This Notice will be on a form available from the Commission. Said Notice shall include plans and specifications as required of an applicant under G.L., Ch. 131, Section 40, as of July 28, 1978 and as amended, and such other information as the Commission may require. These plans will clearly show the location of wetland boundaries and numbered wetlands flags. Said numbered flags shall correspond to flags in the field.

The Notice of Intent may be filed before other permits, variances and approvals required under other Town Bylaws, Subdivision Control Law or regulations have been obtained.

The Notice of Intent shall be accompanied by a check for the amount of the filing fee (see Filing Fees). No filing fee is required when the Town of Chelmsford files a Notice of Intent.

Each Notice of Intent shall be sent by certified mail or shall be hand delivered to the Conservation Commission or its authorized representative. A person delivering a Notice of Intent by hand shall be given a dated receipt.

Notice of the public hearing shall be sent by the applicant by certified mail to all parties in interest. Parties in interest shall mean the petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters to abutters within 300 feet of the property line of the petitioner or the boundary of the wetland area under consideration, whichever is greater all as they appear on the most recent applicable tax list, not withstanding that the land of any such owner is located in another city or town.

SECTION 7 PUBLIC HEARING

The Commission shall hold a public hearing on the application within 21 days of the filing of the Notice of Intent. Notice of the date, time and place of the hearing shall be given by the Commission, at the expense of the

applicant, not less than five days prior to the hearing, by publication in a newspaper of general circulation in Chelmsford and by mailing a notice to the applicant, the Board of Health, Board of Appeals and Planning Board. Such hearing may be held at the same time and place as any public hearing required to be held under G.L., Ch. 131, Section 40. If the Commission determines that additional data or information is necessary, the hearing may be continued to a future date.

SECTION 8 BURDEN OF PROOF

The applicant shall have the burden of proving by preponderance of the credible evidence that the work proposed in the application will not harm the interests protected by this Bylaw. Failure to provide adequate evidence to the Commission supporting a determination that the proposed work will not harm the interests protected by this Bylaw shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions, or, in the Commission's discretion, to continue the hearing to another date to enable the applicant or others to present additional evidence upon such terms and conditions as seems to the Commission to be reasonable.

SECTION 9 ORDER OF CONDITIONS

If after said hearing, the Conservation Commission determines that the land on which the proposed work is to be done is significant to the interests protected by this Bylaw, it shall, by written order, within 21 days or such further time as the Commission and applicant shall agree upon, impose such conditions reasonably necessary for the protection of interests described herein and all work shall be done in accordance therewith. The Conservation Commission may impose such conditions on any proposed removing, dredging, filling or altering as it deems necessary to protect and preserve the interests covered by this Bylaw. Such Order of Conditions shall be in writing and may be subject to the same constraints as any such order issued by the Chelmsford Conservation Commission under the provisions of G.L. 131, Section 40, or successor statutes, and shall be issued within 21 days after the Public Hearing. Such Order of Conditions shall expire 3 years from the date of issuance. The Conservation Commission may extend an Order of Conditions for one or more periods of up to three years each. The request for an extension shall be made to the Conservation Commission in writing at least thirty (30) days prior to expiration of the Order of Conditions. The Commission may deny the request for an extension and require the filing of a new Notice of Intent for the remaining work. No proposed work governed by an Order of Conditions shall be undertaken until all permits, approvals, and variances required by the local Bylaw have been obtained and all applicable appeal periods have expired.

If the Commission determines that the area which is the subject of the application is not significant to the interests protected by this Bylaw, or that the proposed activity does not require the imposition of conditions, it shall issue a permit without conditions within 21 days of the public hearing. The applicant and all others who have received notice of such hearing by mail shall be notified of such determination within 21 days after said hearing.

SECTION 10 DENIAL

The Commission is empowered to deny permission for any removal, dredging, filling, or altering, on subject lands within the Town, if, in its judgement such denial is necessary to protect the interest of this Bylaw.

SECTION 11 RELATIONSHIP TO CHAPTER 131, SECTION 40 AND 310CMR

The Commission shall not impose additional or more stringent conditions pursuant to Chapter 131, Section 40 of the General Laws than it imposes pursuant to this Bylaw, nor shall it require a Notice of Intent pursuant to Ch. 131, Section 40 to provide materials or data in addition to those required pursuant to this Bylaw. All reference in the bylaw to Chapter 131, Section 40 shall include the provisions of regulations promulgated pursuant to said statute as codified in 310CMR 10.00.

SECTION 12 ADDITIONAL INFORMATION

At any time up to the closing of the hearing, the Commission may require such additional information from the applicant as the Commission reasonably deems necessary.

SECTION 13 ENTRY UPON LAND

The Commission, its agents, and employees may enter upon privately-owned land for the purpose of performing their duties under this Bylaw.

SECTION 14 RECORDING

Both the original Order of Conditions and a statement of compliance with this order shall be recorded with the Registry of Deeds in Lowell for the property defined in the order. Evidence certifying that recording has been done must be returned to the Commission before work begins.

SECTION 15 PRE-ACQUISITION VIOLATION

Any person who purchases, inherits or otherwise acquires real estate upon which work has been done in violation of the provisions of this Bylaw or in violation of any permit issued pursuant to this Bylaw shall forthwith comply with any such order to restore such land to its condition prior to any violation; provided, however, that no action, civil or criminal, shall be brought against such person unless commenced within three years following the date of acquisition of the real estate by such person.

SECTION 16 LEGAL ACTION

The Board of Selectmen shall, upon the request of the Conservation Commission, instruct Town Counsel to take such legal action as may be necessary to restrain a violation of this Bylaw, and enforce the orders of the Commission hereunder and the Town Counsel shall forthwith comply with such instructions.

SECTION 17 REGULATIONS

After due notice and public hearing, the Commission may promulgate rules and regulations to effectuate the purposes

of this Bylaw. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court or law shall not act to suspend or invalidate the effect of this Bylaw.

SECTION 18 FEE SCHEDULE

Rules: 1.) Permit fees are payable at the time of application and are non-refundable.

2.) Town, County, State or Federal projects are exempt from fees.

Fees: The Commission may adopt and impose project review charges in accordance with regulations promulgated pursuant to its authority under Massachusetts General Laws.

In addition, if the Commission deems it necessary to obtain an independent engineering review, the cost of obtaining adequate engineering and environmental information shall be borne by the applicant. This cost must be paid by the applicant prior to the issuance of an Order of Conditions or the Commission will render the application incomplete.

SECTION 19 DEFINITIONS

The following definitions shall apply in the interpretation and implementation of this Bylaw:

a) The term "person" shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to town bylaws, administrative agencies, public or quasi-public corporations or bodies, the Town of Chelmsford, and any other legal entity, its legal representatives, agents or assigns.

b) The term "applicant" as used in this Bylaw shall mean a person giving Notice of Intent to build, remove, fill, dredge or alter.

c) The term "alter" shall include, without limitation, the following actions when undertaken in areas subject to this Bylaw:

1. Removal, excavation or dredging of soil, sand, gravel or aggregate material of any kind:

2. Changing of pre-existing drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns and flood storage retention characteristics;

3. Drainage or other disturbance of water level or water table;

4. Dumping, discharging, filling with any material or other activity which may degrade water quality in or out of the Town of Chelmsford;

5. Driving of piles, erection of buildings or structures

of any kind;

6. Placing of obstructions whether or not they interfere with the flow of water;

7. Destruction of plant life, including cutting of trees;

8. Changing of water temperature, biochemical oxygen demand or other physical or chemical characteristics of the water.

d) The term "banks" shall mean that part of land adjoining any body of water which confines the water.

e) The terms "marsh", "freshwater wetland", "swamp", "wet meadow", and "bog" as used in this Bylaw shall be defined as defined in G.L. Chapter 131, Section 40. The Commission may adopt additional definitions not inconsistent with this Section 16 of this Bylaw. The boundary of these wetlands is the line within which fifty (50) percent or more of the vegetation consists of wetland plant species as set forth in Massachusetts General Laws Chapter 131, Section 40 and in situations where a dispute exists the line within which the soil conditions meet the technical criterion of a hydric soil as defined by currently approved Army Corps of Engineers delineation manual.

f) The term "building" as used in this By-Law shall mean a structure enclosed within exterior walls or firewalls, built, erected, and framed of a combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals, or property. For the purpose of this definition, "roof" shall include an awning or any similar covering, whether or not permanent in nature.

g) The terms "land under water bodies or waterways", "vernal pool habitat", shall be defined as defined in 310 CMR 10.04.

h) The term "lower floodplain" shall mean the area of land within the statistical 10 year flood or within 100 feet of the bank or boundary vegetated wetland, whichever is further from the waterbody or waterway.

i) The term "wildlife" shall mean all mammals, birds, reptiles, amphibians and all vertebrate and invertebrate animal species, except domesticated species.

j) The term "wildlife habitant" shall mean those areas subject to these "by-laws" which due to the plant community composition and structure, hydrologic regime, or other characteristics provide important food, shelter, migratory travel or overwintering areas or breeding areas for wildlife.

k) The term "rare species" shall mean those vertebrate and invertebrate animal species officially listed as endangered, threatened, or of special concern by the Massachusetts Division of Fisheries and Wildlife under 321 CMR 8.00 and those plant species listed as rare, threatened, or endangered by the Massachusetts Natural Heritage Program.

l) The term "abutter" shall include owners of property immediately adjacent, across a road or water body, and in another municipality if within 300' of the boundary of the property where work is proposed.

m) The term "areas subject to protection" shall include the resource areas described in Section 2 of this bylaw.

n) The term "buffer zone" shall mean that area of uplands within 100' horizontally outward from the boundary of a resource area.

o) The term "interests protected by this bylaw" shall include public or private water supply, groundwater supply, flood control, erosion control, storm damage prevention, water pollution prevention, fisheries, shellfish, wildlife habitat, recreation and aesthetics.

p) The term "resource areas" shall mean the same as areas subject to protection.

The Commission may adopt additional definitions not inconsistent with this Section 19 of this bylaw.

SECTION 20 SECURITY

The Commission may require, as a permit condition that the performance and observance of other conditions be secured by one or both of the following methods:

a) By a bond or deposit of money or negotiable securities in an amount determined by the Commission to be sufficient to secure performance of conditions and observance of the safeguards of such Order of Conditions and payable to the Town of Chelmsford upon default;

b) By conservation restriction, easement or by a covenant, executed and duly recorded by the owner of record, running with the land, whereby the conditions and safeguards included in such Order of Conditions shall be performed before any lot may be conveyed other than by mortgage deed.

SECTION 21 ENFORCEMENT

Any person who violates any provision of this Bylaw or of any conditions of a permit issued pursuant to it shall be punished by a fine of not more than $300.00. Each day or portion thereof during which a violation continues shall constitute a separate offense. This Bylaw may be enforced by a Town police officer or other officer having police powers. Upon request of the Commission, the Board of Selectmen and Town Counsel shall take such legal action as may be necessary to enforce this Bylaw and permits issued pursuant to it.

SECTION 22 INVALIDITY

The invalidity of any section or provision of this Bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any Order of Conditions which have previously become final.

SECTION 23 WILDLIFE HABITAT EVALUATION

1. Measuring Adverse Effects on Wildlife Habitat

a. To the extent that a proposed project will alter vernal pool habitat or will alter other wildlife habitat such alterations may be permitted only if they will have no adverse effects on wildlife or vernal habitat. Adverse effects on wildlife or vernal habitat shall mean the alteration of any habitat characteristic such as food, shelter, migratory breeding and overwintering areas, insofar as such alteration will, follow 2 growing seasons of project completion and thereafter (or, if a project would eliminate trees, upon the maturity of replanted saplings) substantially reduce its capacity to provide important wildlife and vernal habitat functions. Such performance standards, however, shall not apply to the habitat of rare species. All projects that may impact on rare species must apply through the Massachusetts Natural Heritage and Endangered Species Program at least 90 days prior to the filing of a Notice of Intent.

b. An evaluation by the applicant of whether a proposed project will have an adverse effect on wildlife habitat beyond permissible thresholds shall be performed by an individual with at least a masters degree in wildlife biology or ecological science from an accredited college or university, or other competent professional with at least 2 years experience in wildlife habitat evaluation.

c. Any wildlife habitat management practices conducted by the Division of Fisheries and Wildlife, and any wildlife management practices of any individual or organization if reviewed and approved in writing by said Division, shall be presumed to have no adverse effect on wildlife habitat. Such presumption is rebuttal, and may be overcome by a clear showing to the contrary.

2. Wildlife Habitat Characteristics of Inland Resource Areas:

a. Banks. The topography, soil structure, and plant community composition and structure of banks can provide the following important wildlife habitat functions: food, shelter, migratory wildlife, breeding and overwintering areas of wildlife.

b. Land Under Water Bodies or Waterways. The plant community and soil composition and structure, hydrologic regime, topography and water quality of land under water bodies or waterways can provide the following important wildlife habitat functions: food, shelter, breeding areas and overwintering areas for wildlife.

c. Vernal Pool Habitat. The topography, soil structure, plant community composition and structure, and hydrologic regime of vernal pool habitat can provide the following important wildlife habitat functions: food, shelter, migratory, breeding, and overwintering

areas for wildlife.

d. Lower Flood Plans. The hydrologic regime, plant community, and soil composition and structure, topography, and proximity to water bodies and waterways of lower floodplains can provide the following important wildlife habitat functions: food, shelter, migratory, overwintering and breeding areas for wildlife.

UNDER ARTICLE 19 Town Manager Bernard Lynch, moved that the Town vote to release all right, title and interest in a portion of a drainage easement date June 11, 1977 and recorded in the Middlesex North District Registry of Deeds Book 2312 Page 248. The easement area to be released contains approximately 1,118 square feet of land and is further described and shown as "Easement Area Released" on a Plan to be presented at Town Meeting, a copy of which is on file in the office of the Town Engineer and is incorporated by reference.

The Town Manager explained that a house had been built on an easement. The easement wasn't discovered until after the construction. This would allow the owner to obtain a clear title. The Finance Committee recommended the article. The Board of Selectmen supported the article. The Moderator asked for a show of hands on the article, motion carried, unanimously.

UNDER ARTICLE 20 Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $12,500.00 for the purpose of providing Senior Citizen Real Estate Tax Payment Vouchers for services rendered, pursuant to an agreement to be formulated by the Council on Aging and approved by the Town Manager.

The Town Manager said that he had explained this article previously, and asked for support. The Finance Committee recommended the article. The Board of Selectmen supported the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 21 Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $150,000.00 for labor contract settlements regarding collective bargaining matters.

The Town Manager explained that this was a new concept for the Town. This was suggested by bond counsel as a possible way to have monies available immediately when contracts are settled. By having this reserve account, other departments wouldn't have to cut back within their budgets when funding is needed. Questions were asked regarding the affect this would have on negotiations. Concerns were voiced on the lost of control and monitoring the funds.
The Town Manager explained that the Town Meeting process would not be used until all the monies are gone from this account. He would use the money and settle the contract. If additional money is needed then a special town meeting would have to be called and the required additional amount would then be discussed and voted. The Finance Committee supported the article. A majority of the Board of Selectmen did not support the article. A discussion took place.
Representatives spoke for and against the article. The

Moderator asked for a show of hands on the motion, motion defeated.

UNDER ARTICLE 22 Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $1,410.00 with which to meet bills from previous years.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 23 Selectman Robert P. Joyce, moved that the reading of the article be waived. The Moderator asked for a show of hands, motion carried, unanimously. Jeffrey Stallard, member of the Celebration Committee explained that the purpose of this article is to be able to enforce a safety issue. Along the fourth of July parade route, there is an area where the road narrows. This is where the crowd is highly packed. Vendors travel up and down the area, and when asked to leave they don't. Currently with no by-law, because these vendors are licensed by the State they do not have to be licensed by the Town, so the Town cannot restrict them, its known as fair trade. He asked for support of the article. A number of Representatives asked questions. The Finance Committee did not recommend the article. The Board of Selectmen were in favor of the article. A discussion took place. The matter of safety vs trade was the topic. Karen Ready moved to amend the article under section one, d. Winter Prelude. She felt that this event should be included in the list. The Finance Committee supported the amendment. The Board of Selectmen supported the amendment. The Moderator asked for a show of hands, motion carried. Barry Balan moved to eliminate section two in its entirety and renumber the sections left beginning with number 2. The Finance Committee did not recommend the motion. The Board of Selectmen did not have a recommendation. The Moderator asked for a show of hands, motion carried, unanimously. More discussion took place. William Griffin moved to amend the article by adding at the beginning of the sentence under section one: For the purpose of public safety, no person etc etc. The Finance Committee supported the article to amend. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hand, motion carried. The Moderator asked for a vote by way of a show of hands on the main motion as amended, motion carried. The article reads as follows:

Jeffrey Stallard moved that the Town vote to amend the General By-laws Article VII MISCELLANEOUS by adding the following:

Section 13 Restricted Vendor Areas

1. For the purpose of public safety, no person shall offer for sale or sell any articles on the public ways or Town Owned Property designated on plans approved by the Board of Selectmen, during the following periods:

a. The Annual Independence Day Celebration.

b. Veterans memorial services

c. The Annual Winterfest

d. Winter Prelude

e. Other events approved by the Board of Selectmen.

2. The Board of Selectmen shall review each special event seeking to fall under this by-law with the sponsor (s) to determine whether a restricted area shall be designated for the event. Should a restricted area be needed, the plan of the proposed area shall be submitted to the Board of selectmen for approval a minimum of one month prior to the event.

3. This By-law shall not prohibit hawkers, peddlers, or vendors form selling their products on the public ways of the Town during any period not designated above or in any area outside the area designated on the plans referred to above.

Seeing that there was no further business at hand, the Moderator adjourned the meeting. Motion carried, unanimously. The meeting adjourned at 9:10 PM.

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Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

WARRANT FOR SPECIAL TOWN ELECTION OCTOBER 17, 1995

MIDDLESEX,SS.

To the Constable, or anyother suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meeting their several poling places, VIZ:

Precinct 1 Town Office Building Gymnasium

Precinct 2 Harrington Elementary School Gymnasium

Precinct 3 Harrington Elementary School Gymnasium

Precinct 4 Westlands School Cafetorium

Precinct 5 Byam School Cafetorium

Precinct 6 Westlands School Cafetorium

Precinct 7 McCarthy Middle School, Small Gymnasium

Precinct 8 McCarthy Middle School, Small Gymnasium

Precinct 9 Town Office Building Gymnasium

On Tuesday, the 17th day of October, 1995 being the third Tuesday in said month at 12 noon until 8:00 p.m. for the following purposes:

To bring in their votes for the following officers:

One Selectman for Unexpired 18 months;

and to vote on the following question:

Shall the Town of Chelmsford be allowed to exempt from the provisions of Proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to deign, construct and originally equip an addition to the Adams Library?

The polls will be open from 12 noon until 8:00 pm.

Hereof fail not and make return of the warrant with your doings thereon at the time and place of said special election.

Given under our hands this 25th day of September A.D.1995

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Robert P. Joyce, Chairman

Peter V. Lawlor, Vice Chairman

William F. Dalton, Clerk

Susan J. Gates

TOWN OF CHELMSFORD
COMMONWEALTH OF MASSACHUSETTS

Middlesex Date Sept-27-95

Pursuant to the within Town Meeting Warrant, I have notified and warned the inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:

Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafeteria, Byam School Cafetorium, Westland School Cafeteria, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed William E Spence
William E. Spence,
Constable

A True Copy Attest, William E Spence
William E. Spence, Constable

SPECIAL TOWN ELECTION OCTOBER 17, 1995

OFFICES and CANDIDATES	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SELECTMAN UNEXPIRED 18 MO (1)										
Blanks	26	21	22	26	23	28	35	22	47	250
Thomas J. Welch	477	239	523	394	429	677	640	509	466	4354
Evelyn S. Thoren	360	294	355	337	363	381	322	293	353	3058
Write–In	1	1	3	1		2	0	2	5	15
Misc	3	4	1	5	1	8	1	4	3	30
TOTAL	867	559	904	763	816	1096	998	830	874	7707
QUESTION #1										
Blanks	6	3	1	2	2	4	2	3	5	28
YES	388	169	256	220	293	381	420	280	358	2765
NO	473	387	647	541	521	711	576	547	511	4914
TOTAL	867	559	904	763	816	1096	998	830	874	7707

WARRANT FOR
THE FALL SESSION OF ANNUAL TOWN MEETING
OCTOBER 16, 1995
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the Town Meeting Representatives of said Chelmsford to meet in the Senior Center, Groton Road, North Chelmsford on Monday, the sixteenth of October, at 7:30 p.m. o'clock in the evening then and there to act upon the following articles, VIZ:

ARTICLE 1. To hear reports of the Town Officers and Committees, or act in relation thereto.

Submitted By: Board of Selectmen

ARTICLE 2. To see if the Town will vote to amend the Chelmsford Home Rule Charter under Part VIII Transitional Provisions, Section 8-5 (1) Time of Taking Effect, by deleting the following:

(1) The sewer commission shall cease to exist and be dissolved on January 1, 2005 and all duties, powers, functions and assets shall be assigned to the department of public works or its successor agency.

and add the following as Part VIII, Section 8-5 (1):

(1) The Sewer Commission shall cease to exist and be dissolved upon completion of the sewer project at which time all duties, power, functions and assets shall be assigned to the department of public works or its successor agency;

or act in relation thereto.

Submitted By: Sewer Commission

ARTICLE 3. To see if the Town will vote to acquire by purchase, eminent domain or otherwise any fee, easement or other interest in land necessary for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto, such land being described and shown on a set of plans entitled "Plan of Sewer Easement in Chelmsford, Massachusetts Rainbow Avenue Lateral Sewers dated October 1995, prepared for the Chelmsford Sewer Commission by Richard F. Kaminski &

Associates, Inc.", a copy of which is on file in the office of the Town Engineer and is incorporated herein by reference; to appropriate a sum of money for such land acquisition and to determine whether the same shall be raised by borrowing or otherwise; or act in relation thereto.

Submitted By: Sewer Commission

ARTICLE 4. To see if the Town will vote, subject to enactment of enabling legislation, to raise and appropriate, transfer from available funds, or borrow a sum of money to assist Chelmsford homeowners to install or upgrade Title 5 septic systems on their property, to authorize the Board of Selectmen to petition the General Court for an act to authorize the Town to borrow a sum of money for this purpose and impose upon the benefited homeowners assessments and personal liability for repayment of the debt incurred for their benefit, or act in relation thereto.

Submitted By: Board of Selectmen

ARTICLE 5. To see if the Town will vote to transfer the care, custody, management, and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right title and interest, if any held by the Town in a certain parcel of land on Old Westford Road, shown as Lot 5 on Assessors Map 28, containing 40,000 square feet more or less; and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 6433, Page 339; or act in relation thereto.

Submitted By: Board of Selectmen

ARTICLE 6. To see if the Town will vote to accept the following Regulations for Cemeteries adopted by the Board of Cemetery Commissioners for governance of all public cemeteries in the Town of Chelmsford pursuant to Massachusetts General Laws, Chapter 114, Section 23:

REGULATIONS FOR CEMETERIES

Town of Chelmsford
Board of Cemetery Commissioners

The following regulations have been adopted by the Board of Cemetery Commissioners for the governance of all public cemeteries in the Town of Chelmsford, control of which is entrusted to the said Board of Cemetery Commissioners.

I. OWNERSHIP

1. The right granted to the owner of any lot or grave is a sole and exclusive right of burial and the erection of monuments or markers subject to the terms, conditions, and regulations of the Board of Cemetery Commissioners as they may exist from time to time. The premises in which such rights are granted shall be used only for the purpose of a place of burial for the dead.

2. The owners of rights of burial in the cemeteries, or their heirs, shall not grant, sell, alienate or convey the said exclusive right of burial, to a person or persons, without having obtained the written approval and consent of the Commissioners, but it shall be optional with the Commissioners to grant or withhold such approval and consent. A statement should be filed with the cemetery office listing the names and addresses of all heirs and a majority of the heirs must designate one of their number to be the representative. If no such statement is filed, the Commissioners, after notice to the interested parties, may designate one of the heirs as representative.

3. Any owner of a right of burial who wishes to sell a lot, shall so advise the Commissioners who may repurchase the lot or unused portion of said lot for the same sum that was paid by the owner or for a proportional sum for the unused graves.

4. All burials in said graves or lots shall be under the personal charge of the Superintendent of Cemeteries. All work within the immediate vicinity of a funeral shall be suspended until the conclusion of the religious services.

5. No interments shall be made until the Superintendent shall have been furnished with a permit such as may be required by the laws of the Commonwealth, together with an order from the owner of the right of burial in the lot, in which the interment is to be made, or from a legal representative. No interment shall be made until the fees provided for in the schedule adopted by the Commissioners shall have been paid.

6. Neither the Town nor the Cemetery Commissioners and the officers and employees thereof shall be held responsible for any order given, or mistakes occurring, due to the lack of precise and proper information or instructions from the owner of the rights of burial or a legal representative as to the particular space, size and location in a plot where an interment or disinterment is desired.

7. The Cemetery Commissioners reserve the right to correct any errors that may be made in making interments, disinterments or removals and neither they nor the Town nor the respective officers and employees thereof shall be held liable on account of the failure of any devices to operate normally or conditions beyond their control.

8. Every earth interment shall be made in a concrete box or in an outer container of stone, concrete or a combination thereof, of sufficient strength and durability to constitute a reasonable permanent support for the weight above it.

9. All fees for opening or preparing a grave shall be paid to the office of the Town Treasurer. There will be an extra charge for Saturday or holiday interments and after the hour of four P.M. of any working day.

10. No grave shall be opened for interment by any person not in the employ of the Cemetery Department.

II. PERPETUAL CARE

1. The owner of a right of burial must create a permanent fund according to the schedule adopted by the Commissioners, the income from which is to be used forever to fill, level, top dress, cut and take care of the grass on said lot or grave. Any remaining income from the fund is to be used by the Commissioners as they deem to be for the best interest of the lot or grave.

III. MONUMENTS

1. No monuments shall be erected without the approval of the Superintendent and according to the specifications adopted by the Commissioners.

2. Only one central or family memorial shall be allowed on a family lot and only in that space reserved for it. All flat markers must be set flush with the ground. No corner boundary markers are permitted on lots. The Cemetery Commissioners reserve the right to remove corner posts and curbings deemed necessary for the benefit of the cemetery.

3. All foundations for monuments must be installed by Cemetery Department employees. A foundation for a memorial shall not be built on any lot on for which

there is a claim by the Town or Cemetery Commissioners against the owner for any indebtedness.

4. All foundation orders require a signed statement by lot the owner and memorial manufacturer and must be accompanied by the applicable fee for same.

5. If any monument, effigy or any structure whatever, or any inscription be placed in or upon any lot or grave, which shall be determined by Commissioners to be offensive or improper, the Cemetery Commissioners shall have the right to order its removal, and if the owner or legal representative fails to remove it, the Commissioners shall have the right to enter upon such lot or grave and remove the said offensive or improper object.

6. When any memorial is to be removed or any inscription made thereon, or to be cleaned or repaired, a written request must be made to the Superintendent giving the owner's address and also giving the name and address of the person who is to do the work.

7. Monument restrictions and sizes are as follows:

FLAT MARKERS

Lot Size	Length	Width	Thickness
Single	2' ± 1"	1'2" ± 3/4"	4" Min.
Double	3' ± 1"	1'2" ± 3/4"	4" Min.

MONUMENTS

	Length	Width	Total Height
Double	3'1" ± 7"	1'6" Max.	3' ± 2"
Three or Four	4'3" ± 1'3"	1'6" Max.	3' ± 2"
Six or Eight	6'7" ± 1'7"	2'0" Max.	3' ± 2"

Exceptions may be made with the approval of the Superintendent and Commissioners.

Note: Monuments are not allowed on single grave lots.

IV. WORK ON LOTS

1. No other person than the owner, except the Superintendent or his employees, shall be allowed to perform any work on a lot or parcel of ground without a permit from the Superintendent, obtained upon application, and all persons so employed shall be under the control and supervision of the Superintendent.

2. The cemetery grounds must be left in good order upon the conclusion of any work on a lot. All work must be done during the working hours of the cemetery, and cease at the close of the working day.

3. Workmen employed in the construction of vaults, the erection of monuments, etc. shall be subject to the control and direction of the Superintendent, and any workman failing to conform with these regulations will not afterwards be permitted to work in the grounds.

4. The Superintendent is responsible for the care of the cemeteries and he is authorized to remove all persons who violate these regulations, and directed to cause violators of the law to be prosecuted.

V. GENERAL CARE

1. On graves or lots where no monument has been erected, under no condition shall the sod be allowed to be broken or removed.

2. No tree within a lot or upon a grave shall be cut down or removed without the consent of the Cemetery Commissioners.

3. When owners perform any work on their lots or graves, they must remove all refuse material to such places as are provided by the Superintendent.

4. No person shall gather any flowers, either wild or cultivated, in a cemetery nor shall he remove, cut, break, or mark any tree, shrub or plant, or shall mark, deface or injure any monument, building, rustic seat or other structure within a cemetery.

5. No person shall rest upon lots which do not belong to him, or walk upon or across lots or lawns to gain access to their lots or graves, other than by paths or avenues so designated.

6. Children are not allowed in the cemeteries, except when accompanied by a parent or some adult having them in charge.

7. Persons carrying refreshments or intoxicating beverages, will not be permitted in cemeteries, nor persons with firearms, except at military funerals. The use of all other implements calculated to annoy or destroy birds, squirrels or any other harmless animals found therein is strictly forbidden.

8. No owner or other person shall be allowed to maintain a lot at any other grade, or cause the same to be graded in any other manner than that established by the Cemetery Commissioners.

9. No employee shall receive any fee or gratuity from any person except the standard fees prescribed by the Cemetery Commissioners and to be paid to the Town Treasurer. Any employee violating this rule shall be dismissed.

10. The Cemetery Commissioners shall have the authority to grant permission to owners to depart in special instances from the provisions of the foregoing regulations, in and only in cases where it clearly appears that the spirit and intent of the regulations will not thereby be violated.

11. Dogs, pets, and recreational activities are prohibited.

VI. Planting Rules

1. No urns, window boxes, markers, boxed wreaths, fences, curbing, hedges, trees or other ornaments or memorials of a permanent nature shall be placed or planted upon the graves or lots without the approval of the Superintendent.

2. Autumn decorations and plants shall be removed by November 11th. Christmas decorations and wreaths shall be removed by April 1st.

3. One flower bed is allowed on each monument lot and shall not extend more that 14" from the base of the monument.

4. Flower beds may not be outlined with stones, marble chips, curbings, fencing, or edging made of metal, wood, or vinyl.

5. If any shrub situated in any lot, or upon any grave, shall by means of its roots or branches or otherwise become detrimental to said lots, or to the adjacent lots, avenues or paths, or dangerous or inconvenient, the Commissioners or the Superintendent or his employees shall have the right to enter upon said lot or grave and remove said tree, shrub or bush or parts thereof as are thus detrimental, dangerous or inconvenient.

6. It is not allowable to outline a plot or grave with evergreens, curbings, flowers, etc.

7. Shrubs may be planted near monuments with the permission of the Cemetery Superintendent.

8. Rose bushes and other thorny plantings are not permitted.

9. Baskets or other containers, not of a permanent nature, must be removed by the owners if they wish to preserve them, otherwise they shall be removed by the Superintendent, when in his judgment the plants or flowers have decayed.

10. Decayed flowers or plants shall be removed by the Superintendent when deemed advisable. Artificial flowers and decorations are not permitted.

11. Flowers must not be brought into a cemetery except for decoration, and they must not be carried out under any pretense whatever, except by permission of the Superintendent.

12. The Cemetery Department is not responsible for any flowers or any other decorations placed on graves or lots by the owners.

VII. Miscellaneous

1 The Cemetery Commissioners may adopt a schedule of fees for interments and other services and privileges provided to owners, and may make such orders and take such actions as are necessary to implement these regulations.

Submitted By: Cemetery Commission

ARTICLE 7. To see if the Town will vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Engineer:

1. Burton Lane
2. Scotty Hollow Drive

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and / or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and to see if the Town will vote to raise and appropriate, transfer and appropriate from the Stabilization Fund, and or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and to see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto; or act in relation thereto.

Submitted By: Board of Selectmen

ARTICLE 8. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money to pay bills of previous fiscal years; or act in relation thereto.

Submitted By: Town Manager

ARTICLE 9. To see if the Town will vote to amend the Zoning By-law, Section 2110 Official Zoning Map as it pertains to certain parcels of land located northerly of Riverneck Road, easterly of Carter Drive and Cove Street, and southerly of Route 495, and being parcels of land shown on Assessors Map 107 Parcel 54, Map 108 Parcels 14 and 40, a portion of Map 109 Parcel 50, and Map 109 Parcels 53 and 54, and Map 110 Parcels 13 and 14 by changing the designation of those lots from IA to RB; or act in relation thereto.

Submitted By: Petition

ARTICLE 10. To see if the Town will vote to authorize or direct the Board of Selectmen to convey to Edward Fabbri, for consideration to be determined, all right, title and interest held by the Town in a certain parcel of land off Second Street known as lot 32 on Assessor's Map 130, containing 4,127 square feet more or less; and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 6933, Page 38; or act in relation thereto.

Submitted By: Petition

ARTICLE 11. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of designing, constructing, and originally equipping an addition to the Adams Library, or act in relation thereto.

Submitted By: Library Trustees
Town Manager

ARTICLE 12. To see if the Town will vote to amend the Zoning Map of the Town of Chelmsford to establish additional Adult Entertainment (CX) zoning districts as overlay zoning districts in certain areas currently zoned Limited Industrial (IA), or take any other action in relation thereto.

Submitted By: Planning Board
Board of Selectmen

ARTICLE 13. To see if the Town will vote to authorize the Town Manager to execute a contract with Ogden-Martin Inc. for solid waste disposal for a term not to exceed ten years; or act in relation thereto.

Submitted By: Town Manager

ARTICLE 14. To see if the Town will vote to accept Massachusetts General Law Chapter 138, Section 12B regarding the prohibition of nudity in any premises licensed to sell alcoholic beverages; or act in relation thereto.

Submitted By: Board of Selectmen

ARTICLE 15. To see if the Town will vote to amend its General By-laws by inserting a new section 5, Article II, to read as follows:

Section 5. Town Meeting Representatives

5.1 Within 30 days after the Annual Town Election, Town Meeting Representatives in each precinct will meet, and elect a Precinct Chairman, Assistant Chairman, and Secretary for a term of one year. The Town Meeting Representatives will then confer on town business and set a date for their next meeting.

5.2 Each precinct will meet a minimum of four times a year for discussion of town business and any concerns constituents may have. Based upon these meetings, Town Meeting Representatives may submit petitions for consideration by the Town Meeting. All meeting will be subject to provisions of the Open Meeting Law.

5.3 All Town Meeting Representatives shall be seated by precinct and voting on each Warrant Article will be conducted by the Precinct Chairman polling each Town Representative. Each Precinct Chairman shall be sworn in by the Town Moderator as a teller. The Secretary will record the vote. After the polling is completed, the Chairman will report the total vote by the precinct to the Town Moderator.

5.4 A report of each member's recorded vote will be turned over by the Precinct Secretary to the Town Clerk at the end of each day's meeting. This voting record will be filed in the Town Clerk's office for inspection by any interested citizen of the Town.

5.5 Because it is almost impossible for most Town Meeting Representatives to find the time to attend all of the Town Board Meetings, interested members may be appointed at Precinct meetings to attend from time to time Town Board meetings and report back to their Precinct Meetings on any items of interest.

;or act in relation thereto.

Submitted By: Town Manager

ARTICLE 16. To see if the Town will vote to appropriate from free cash a certain amount of money for the reduction of the tax rate; or act in relation thereto.

Submitted By: Town Manager

ARTICLE 17. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money for the purpose of updating the Town of Chelmsford Master Plan, or act in relation thereto.

Submitted By: Planning Board
Town Manager

ARTICLE 18. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money for the purpose of purchasing equipment for the operation of the municipal golf course, or act in relation thereto.

Submitted By: Town Manager

ARTICLE 19. To see if the Town will vote to decrease by a certain sum the amount authorized to be borrowed under Article 12 of the May 4, 1995 Special Town Meeting for the acquisition of the Apple Country Club and to transfer from free cash an equivalent sum of money to fund said acquisition, or act in relation thereto.

Submitted By: Town Manager

ARTICLE 20. To see if the Town will vote to appropriate from free cash a certain sum of money for the funding of negotiated collective bargaining agreements; or act in relation thereto.

Submitted By: Town Manager

ARTICLE 21. To see if the Town will vote to raise and appropriate or transfer and appropriate a certain sum of money to the Stabilization Fund; or act in relation thereto.

Submitted By: Town Manager

ARTICLE 22. To see if the Town will vote to amend the Fiscal Year 1996 operating budget under Article 2 of the April 24, 1995 Annual Town Meeting, or act in relation thereto.

Submitted By: Town Manager

ARTICLE 23. To see if the Town will vote to authorize the Board of Selectmen to acquire an easement for public or municipal parking purposes on a portion of the property at 40 Vinal Square shown on Assessors Map 7 as Lot 10, on such terms and conditions as the Board of Selectmen may determine, or in the alternative, to authorize the Board of Selectmen to enter in a lease for said parcel for a period in excess of three years, or act in relation thereto.

Submitted By: Town Manager

ARTICLE 24. To see if the Town will vote to accept the provisions of General Laws Chapter 60, Section 3C, authorizing the establishment of the Chelmsford Education Fund, and to amend the General By-laws by adding a new section 13 to Article VII, to read as follows:

Section 13. Chelmsford Education Fund

A. Purpose

The Town of Chelmsford Education Fund is established in accordance with the provisions of M.G.L. Chap. 60, Section 3C as amended by the Acts of 1993 to provide supplemental educational funding for local educational needs.

B. DEFINITIONS

1. *Local educational needs* shall be defined as the needs of this schools and students which are under the jurisdiction of the Local Education Agency (LEA) which is the Chelmsford Public Schools.
2. *Supplemental educational funding* shall be defined as that which adds to or enhances the educational opportunities provided by the Local Educational Agency and funded by the Town of Chelmsford. Supplemental funding

cannot a.) take the place of funds requested in the Chelmsford School Committee's annual budget request which support the essential curriculum and programs of the Chelmsford Public Schools; b.) create new ongoing programs which cannot be supported in the future by the Chelmsford Public Schools; or c.) provide for the continuation of programs which the Chelmsford Public Schools no longer support.

C. THE CHELMSFORD EDUCATION FUND COMMITTEE

1. There shall be established a Chelmsford Education Fund Committee to administer the Chelmsford Educational Fund and to authorize the expenditure of its funds.

2. Members of the Chelmsford Educational Fund Committee shall be the Superintendent of Schools or his designee and four residents of the town, one of whom shall be a member of the Chelmsford School Committee (recommended by the Chairman), one of whom shall be the parent of a child enrolled in the Chelmsford Public Schools, one of whom shall be a member of the business community, and one at large member.

3. Appointment to three year terms will be made in accordance with the statute. Upon initial formation of the Committee, terms of members will be arranged so that the terms of as nearly an equal number of members as is possible shall expire each year.

D. MEETINGS

1. The Chelmsford Education Fund Committee shall meet quarterly and at other times as are deemed necessary and appropriate for the conduct of Committee business.

2. A quorum for purposes of transacting business shall consist of four members. Decisions shall be based upon the vote of a majority of the members present.

3. The Town Treasurer shall provide the Committee with quarterly financial reports on the status of the Chelmsford Education Fund.

E. PROCEDURES

1. Written proposals requesting supplemental funding from the Chelmsford Education Fund shall be submitted to the Chelmsford Education Fund Committee at least two weeks before a meeting and shall be presented according to the format specified by the Committee.

2. Application for such funds may be made by the Chelmsford School Committee through the Superintendent of Schools, by a School Council (as established under M.G.L. Chap. 71, Section 59C) and by members of the professional staff employed by the Chelmsford Public Schools.

3. All requests for supplemental funding must support the mission and beliefs of the Chelmsford Public Schools and be in accordance with Chelmsford School Committee policy.

:or act in relation thereto.

Submitted By: School Committee

Hereof fail not and make return of the warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 25th day of September A.D.1995

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Robert P. Joyce, Chairman

Peter V. Lawlor, Vice Chairman

William F. Dalton, Clerk

Susan J. Gates

NOTICE OF PROPOSED DATES AND TIMES FOR CONTINUED SESSIONS OF THE ANNUAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Annual Town Meeting of October 16, 1995:

Thursday, October 19, 1995 at 7:30 p.m. (Commencing with Article 1)

Monday, October 23, 1995 at 7:30 p.m.

If additional continued sessions are necessary, they shall take place on the Monday and Thursday of the next consecutive weeks until the meetings are concluded.

Pursuant to General By-laws, Article II, Section 4.10 Notice, these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. SEPTEMBER 27, 1995

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:

Town Office Building Gymnasium, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Building Gymnasium, and Town Office Building Lobby.

Signed:

William E. Spence

William E. Spence
Constable

A True Copy Attest, William E. Spence

William E. Spence
Constable

ANNUAL FALL TOWN MEETING
October 16, 1995

The Town by-law states that the Annual Fall meeting be held on the third Monday in October. The Annual Fall Town Meeting was posted for Monday October 16th, to begin at 7:30 PM, at the Senior Center on Groton Road. A Special Town Election was posted to be held on Tuesday October 17th. A few representatives were present and questioned why no attendance will be taken. Moderator Dennis E. McHugh stated that there was no quorum present, and asked for a motion to adjourn. Robert Joyce moved to adjourn the meeting to 7:30 PM on Thursday October 19, 1995, at the Senior Center on Groton Road. The first order of business will be article one. The meeting adjourned at 7:35 PM.

_____ _____

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL FALL MEETING
October 19, 1995

The Adjourned Annual Fall Meeting was called to order at the Senior Center on Groton Road, at 7:35 PM, by the Moderator Dennis E. McHugh. The Moderator recognized the presence of a quorum, there were 147 Town Meeting Representatives present.

The Moderator went over the town meeting procedures and pointed out the fire exits. He then asked for the Town Meeting Representatives to allow Robert A. Goober, who would be assisting the Sewer Commission with their articles, to speak from time to time during the articles. Motion carried, unanimously. The Moderator then welcomed newly elected Selectman Thomas Welch to the meeting.

Selectman Robert P. Joyce moved to waive the reading of the Constables posting of the warrant. Motion carried, unanimously. Selectman Robert P. Joyce moved to waive the reading of the entire warrant. Motion carried, unanimously.

UNDER ARTICLE 1 Selectman Robert P. Joyce moved that the Town vote to hear reports of the Town Officers and Committees.

John Emerson Chairman of the Sewer Commission, gave a presentation to the Body about the on going sewer project, the future areas to be sewered, the amount of money that has been spent so far. In some cases identical properties a few streets apart from each other have unequal value, because one has sewage and the other has a septic system. Under the current project that started in 1989, 68% of the Town will be completely sewered. The Sewer Commission will ask the Town next year to extend the project to the remaining 32 percent or 3,678 households. First by submitting a question at the spring election to allow the Town to raise taxes beyond the limits of Prop 2 1/2. Then by submitting an article on the warrant at the Annual Spring Town Meeting. The estimated cost will be $49 million dollars. He explained that Massachusetts has a new septic system regulation called Title 5. This has caused many burdens and expenses for citizens. Particularly to anyone trying to sell their home. The restrictions are so strict that there has been a 35% failure rate since March. The average repair cost is $12,000. Currently the cost to sewer a home is $7,500. If the Town decides to complete the project he felt that some of the costs could be covered by state and federal grants. If the Town doesn't receive any grants then the most it could cost is $49 million or $13,500 per household. However, if 75% funding was to be granted, then the cost would be $3,400 per household. If the Town does vote to complete the project, then the state has agreed to waive any Title 5 requirements. No other community has been offered this waiver. He thanked the Body for their attention.

Bernard Lynch, Town Manager, gave a presentation explaining the Fiscal condition of the Town.

UNDER ARTICLE 2 John P. Emerson Jr., Chairman of the Sewer Commission, moved that the Town vote to amend the Chelmsford Home Rule Charter under Part VIII Transitional

Provisions, Section 8-5 (1) Time of Taking Effect, by deleting the following:

(1) The Sewer Commission shall cease to exist and be dissolved on January 1, 2005 and all duties, powers, functions and assets shall be assigned to the department of public works or its successor agency.

and add the following as Part VIII, Section 8-5 (1)

(1) The Sewer Commission shall cease to exist and be dissolved upon completion of the sewer project at which time all duties, powers, functions and assets shall be assigned to the department of public works or its successor agency.

John P. Emerson, Chairman of the Sewer Commission explained that this would allow the Sewer Commission to continue being the controlling body until the completion of the sewer project. This action had been previously voted on in the October of 1994 fall meeting. It did not go on the April of 1995 Town Ballot as a question, which is required by law. Once voted tonight a ballot question will be submitted to the voters in April of 1996. He asked for support of the article. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 3 John P. Emerson Jr., Chairman of the Sewer Commission, moved that the Town vote to authorize the Chelmsford Sewer Commission to acquire by purchase, eminent domain or otherwise any fee, easement or other interest in land necessary for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto, such land being described and shown on a set of plans entitled "Plan of Sewer Easement in Chelmsford, Massachusetts Rainbow Avenue Lateral Sewers dated October 1995. Prepared for the Chelmsford Sewer Commission by Richard F. Kaminski & Associates. Inc". a copy of which is on file in the office of the Town Engineer and is incorporated herein by reference.

John P. Emerson, Chairman of the Sewer Commission, explained that this action is needed in order to proceed forward with the sewer project in the North Road and Rainbow Avenue area.

John Wilder requested the names of the property owners involved. Robert Goober, who represented Weston and Sampson, the engineering firm contracted to do the Sewer project, read the following names:

S. Corey, F. Rourke, E. & M. Seneta, W. & V. Poulis, S.& L. Prutzer, S.& S. Hartfield, V.& D. Vallano, M.& M DeMartino, J. & E. Turcotte, D. Soha, J. & M. Milisci, J. Kordash, D. Wood and C.W. Morgan, Trustee.

Hearing no further discussion the Moderator asked for the Finance Committee's recommendation. John Morrison, Chairman of the Finance Committee said that the Committee recommended the article. The Board of Selectmen were in

favor of the article. The Moderator asked for a show of hand, motion carried, unanimously.

UNDER ARTICLE 4 Selectman Peter V. Lawlor explained that this article is to be withdrawn at this time.
The Moderator asked for a show of hands, motion carried, unanimously. It read as follows:

Should the Town vote subject to enactment of enabling legislation to borrow a sum of money to assist Chelmsford homeowners to install or upgrade Title 5 septic systems on their property. To authorize the Board of Selectmen to petition the General Court for an act to authorize the Town to borrow a sum of money for this purpose and impose upon the benefited homeowners assessments and personal liability for repayment of the debt incurred for their benefit?

UNDER ARTICLE 5 Selectman Robert P. Joyce moved that the Town vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorized the Board of Selectman to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right title and interest, if any, held by the Town in a certain parcel of land on Old Westford Road, shown as Lot 5 on Assessors Map 28, containing 40,000 square feet more or less; and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 6433, Page 339.

Town Manager Bernard Lynch explained that this is a routine article in the case of selling Town owned land. The land will go out for competitive bid and all the abuters will be notified and the land will be awarded to the highest bidder. John Wilder questioned if the land was wet and is that the reason it is being sold? The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 6 John B. Sousa Jr, Cemetery Superintendent moved that the Town vote to accept the following Regulations for Cemeteries adopted by the Board of Cemetery Commissioners for governance of all public cemeteries in the Town of Chelmsford pursuant to Massachusetts General Laws, Chapter 114, Section 23:

REGULATIONS FOR CEMETERIES

Town of Chelmsford
Board of Cemetery Commissioners

The following regulations have been adopted by the Board of Cemetery Commissioners for the governance of all public cemeteries in the Town of Chelmsford, control of which is entrusted to the said Board of Cemetery Commissioners.

I OWNERSHIP

1. The right granted to the owner of any lot or grave is a sole and exclusive right of burial and the erection of monuments or markers subject to the terms, conditions,

and regulations of the board of Cemetery Commissioners as they may exist form time to time. The premises in which such rights are granted shall be used only for the purpose of a place of burial for the dead.

2. The owners of rights of burial in the cemeteries, or their heirs, shall not grant, sell, alienate or convey the said exclusive right of burial, to a person or person without having obtained the written approval and consent of the commissioners, but it shall be optional with the commissioners to grant or withhold such approval and consent. A statement should be filed with the cemetery office listing the names and addresses of all heirs and a majority of the heirs must designate one of their number to be representative. If no such statement is filed, the Commissioners, after notice to the interested parties, may designate one of the heirs as representative.

3. Any owner of a right of burial who wishes to sell a lot, shall so advise the Commissioners who may repurchase the lot or unused portion of said lot for the same sum that was paid by the owner or for a proportional sum for the unused graves.

4. All burials in said graves or lots shall be under the personal charge of the Superintendent of Cemeteries. All work within the immediate vicinity of a funeral shall be suspended until the conclusion of the religious services.

5. No interments shall be made until the superintendent shall have been furnished with a permit such as may be required by the laws of the Commonwealth, together with an order from the owner of the right of burial in the lot, in which the interment is to be made, or from a legal representative. No interment shall be made until the fees provided for in the schedule adopted by the Commissioners shall have been paid.

6. Neither the Town nor the Cemetery Commissioners and the officers and employees thereof shall be held responsible for any order given, or mistakes occurring, due to the lack of precise and proper information or instructions from the owner of the rights of burial or a legal representative as to the particular space, size and locations in a plot where an interment or disinterment is desired.

7. The Cemetery Commissioners reserve the right to correct any errors that may be made in making interments, disinterments or removals and neither they nor the Town nor the respective officers and employees thereof shall be held liable on account of the failure of any devises to operate normally or conditions beyond their control.

8. Every earth interment shall be made in a concrete box or in an outer container of stone, concrete or a combination thereof, of sufficient strength and durability to constitute a reasonable permanent support for the weight above it.

9. All fees for opening or preparing a grave shall be paid

at the office of the Cemetery Department. There will be an extra charge for Saturday or holiday interments and after the hour of four P.M. of any working day.

10. No grave shall be opened for interment by any person not in the employ of the Cemetery Department.

II PERPETUAL CARE

1. The owner of a right of burial must create a permanent fund according to the schedule adopted by the Commissioners, the income from which is be used forever to fill, level, top dress, cut and take care of the grass on said lot or grave. Any remaining income from the fund is to be used by the Commissioners as they deem to be for the best interest of the lot or grave.

III MONUMENTS

1. No monuments shall be erected without the approval of the Superintendent and according to the specifications adopted by the Commissioners.

2. Only one central or family memorial shall be allowed on a family lot and only in that space reserved for it. All flat markers must be set flush with the ground. No corner boundary markers are permitted on lots. The Cemetery Commissioners reserve the right to remove corner posts and curbings deemed necessary for the benefit of the cemetery.

3. All foundations for monuments must be installed by Cemetery Department employees. A foundation for a memorial shall not be built on any lot for which there is a claim by the Town or Cemetery Commissioners against the owner for any indebtedness.

4. All foundation orders require a signed statement by the lot owner and memorial manufacturer and must be accompanied by the applicable fee for same.

5. If any monument, effigy or any structure whatever, or any inscription be placed in or upon any lot or grave, which shall be determined by Commissioners to be offensive or improper, the Cemetery Commissioners shall have the right to order its removal, and if the owner or legal representative fails to remove it, the Commissioners shall have the right to enter upon such lot or grave and remove the said offensive or improper object.

6. When any memorial is to be removed or any inscription made thereon, or to be cleaned or repaired, a written request must be made to the Superintendent giving the owner's address and also giving the name and address of the person who is to do the work.

7. Monument restrictions and sizes are as follows:

FLAT MAKERS

Lot Size	Length	Width	Thickness
Single	2'+ 1"	1'2"+3/4"	4" Min.
Double	3'+ 1"	1'2"+3/4"	4" Min.

MONUMENTS

	Length	Width	Total Height
Double	3'1"+ 7"	1'6"Max.	3'+2"
Three or Four	4'3"+ 1'3"	1'6"Max.	3'+2"
Six or Eight	6'7"+ 1'7"	2'0"Max.	3'+2"

Exceptions may be made with the approval of the Superintendent and Commissioners.

Note: Monuments are not allowed on single grave lots

IV. WORK ON LOTS

1. No other person than the owner, except the Superintendent or his employees, shall be allowed to perform any work on a lot or parcel of ground without a permit for the Superintendent, obtained upon application, and all persons so employed shall be under the control and supervision of the Superintendent.

2. The cemetery grounds must be left in good order upon the conclusion of any work on a lot. All work must be done during the work hours of the cemetery, and cease at the close of the working day.

3. Workmen employed in the construction of vaults, the erection of monuments, etc. shall be subject to the control and direction of the Superintendent, and any workman failing to conform with these regulations will not afterwards be permitted to work in the grounds.

4. The Superintendent is responsible for the care of the cemeteries and he is authorized to remove all persons who violate these regulations, and directed to cause violators of the law to be prosecuted.

V. GENERAL CARE

1. On graves or lots where no monument has been erected, under no condition shall the sod be allowed to be broken or removed.

2. No tree within a lot or upon a grave shall be cut down or removed without the consent of the Cemetery Commissioners.

3. When owners perform any work on their lots or graves, they must remove all refuse material to such places as are provided by the Superintendent.

4. No person shall gather any flowers, either wild or cultivated, in a cemetery nor shall he remove, cut, break, or mark any tree, shrub or plant, or shall mark, deface or injure any monument, building rustic seat or

other structure within a cemetery.

5. No person shall rest upon lots which do not belong to him, or walk upon or across lots or lawns to gain access to their lots or graves, other than by paths or avenues so designated.

6. Children are not allowed in the cemeteries, except when accompanied by a parent or some adult having them in charge.

7. Persons carrying refreshments or intoxicating beverages, will not be permitted in cemeteries, nor persons with firearms, except at military funerals. The use of all other implements calculated to annoy or destroy birds, squirrels or any other harmless animals found thereon is strictly forbidden.

8. No owner or other person shall be allowed to maintain a lot at any other grade, or cause the same to be graded in any other manner than that established by the Cemetery Commissioners.

9. No employee shall receive any fee or gratuity from any person except the standard fees prescribed by the Cemetery Commissioners and to be paid to the Town Treasurer. Any employee violating this rule shall be dismissed.

10. The Cemetery Commissioners shall have the authority to grant permission to owners to depart in special instances from the provisions of the foregoing regulations, in and only in cases where it clearly appears that the spirit and intent of the regulations will not thereby be violated.

11. Dogs, pets and recreational activities are prohibited.

VI. PLANTING RULES

1. No urns, window boxes, markers, boxed wreaths, fences curbing, hedges, trees or other ornaments or memorials of a permanent nature shall be placed or planted upon the graves or lots without the approval of the Superintendent.

2. Autumn decorations and plants shall be removed by November 11th. Christmas decorations and wreaths shall be removed by April 1st.

3. One flower bed is allowed on each monument lot and shall not extend more than 14" from the base of the monument.

4. Flower beds may not be outlined with stones, marble chips, curbings, fencing, or edging made of metal, wood, or vinyl.

5. If any shrub situated in any lot, or upon any grave, shall by means of its roots or branches or otherwise become detrimental to said lots, or to the adjacent lots, avenues or paths, or dangerous or inconvenient, the commissioners or the Superintendent or his employees shall have the right to enter upon said lot or grave and

remove said tree, shrub or bush or parts thereof as are thus detrimental, dangerous or inconvenient.

6. It is not allowable to outline a plot or grave with evergreens, curbings, flowers, etc.

7. Shrubs may be planted near monuments with the permission of the Cemetery Superintendent.

8. Rose bushes and other thorny plantings are not permitted.

9. Baskets or other containers, not of a permanent nature, must be removed by the owners if they wish to preserve them, otherwise they shall be removed by the Superintendent, when in his judgement the plants or flowers have decayed.

10. Decayed flowers or plants shall be removed by the Superintendent when deemed advisable. Artificial flowers and decorations are not permitted.

11. Flowers must not be brought into a cemetery except for decoration, and they must not be carried out under any pretense whatever, except by permission of the Superintendent.

12. The Cemetery Department is not responsible for any flowers or any other decorations placed on graves or lots by the owners.

VII MISCELLANEOUS

1. The Cemetery Commissioners may adopt a schedule of fees for interments and other services and privileges provided to owners, and may make such orders and take such actions as are necessary to implement these regulations.

John Sousa explained that these regulations have been in affect for the past forty-five years. Due to an oversight, they had never been brought forth to the Town for an official vote of approval. He said that the Cemetery Commissioner's approved of the regulations and asked for support. Barbara Ward asked a question about section 6. Plantings. Under line item 10. She wanted to know if the Cemetery Commissioner's were in fact really going to enforce not allowing artificial flowers and decorations? John Sousa explained that at this time the rule is there, and the Commissioner's allow for discretion. If any object is really offensive, then it is removed from the site. The Commissioners didn't want to change any of the actual regulations until they've been officially accepted. Before any new publication is produced some changes will be made. The Finance Committee was in favor of the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 7 Selectman Robert P. Joyce moved that the Town vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Engineer:

1. Burton Lane
2. Scotty Hollow Drive

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements; to authorize the Board of Selectmen to negotiate and execute all necessary and proper contacts and agreements thereto.

Town Manager Bernard Lynch explained the article. John Wilder questioned if there were any costs involved? No there were not. George Merrill questioned the length of acceptance Scotty Hollow Drive would be. James Pearson, DPW Superintendent, said that only 900 feet in from Groton Road was the accepted public distance, the rest was private. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 8 Town Manager Bernard Lynch, moved that the Town vote to appropriate from free cash the sum of $7899.00 to pay bills of previous fiscal years.

The Town Manager explained that bills were received after the books were closed in June, and they must be paid from the free cash. He presented the following list:

Office supplies	$	594.19
City of Lowell Sewage		3,542.60
Stablization Fund Fee		1,174.70
Legal Bills		1,389.27
Police/Fire Retires		1,197.34
TOTAL	$	7,898.10

The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 9 Selectman Robert P. Joyce moved that this article be withdrawn. The Town Manager explained that the petitioner of the article asked to have the article withdrawn at this time. The Moderator asked for a show of hands, motion carried, unanimously. It read as follows:

Should the Town vote to amend the Zoning By-law, Section 2110 Official Zoning map as it pertains to certain parcels of land located northerly of Riverneck Road, easterly of Carter Drive and Cove Street, and southerly of Route 495, and being parcels of land shown on Assessors Map 107 Parcel 54, Map 108 Parcels 14 and 40, a portion of Map 109 Parcel 50, and Map 109 Parcels 53 and 54, and Map 110 Parcels 13 and 14 by changing the designation of those lots from IA to RB.

UNDER ARTICLE 10 Town Manager Bernard Lynch, explained that the petitioner of this article was not present and had submitted a letter requesting not to proceed with the action.

The Moderator asked for a show of hands, motion carried, unanimously. The article read as follows: Should the Town vote to authorize or direct the Board of Selectmen to convey to Edward Fabbri, for consideration to be determined, all right, title and interest held by the Town in a certain parcel of land off Second Street known as lot 32 on Assessor's Map 130, containing 4,127 square feet more or less; and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 6933, Page 38.

UNDER ARTICLE 11 The Moderator read to the body a letter submitted by Nancy Knight, Chairman of the Library Trustees dated October 19th:

"As a result of the defeat of the library exemption article on the October 17, 1995 Special Election, The Board of Library Trustees has voted to withdraw from consideration Article 11 from the Warrant for the Fall Session of the 1995 Annual Town Meeting. Respectfully, Nancy J. Knight, Chair Chelmsford Public Library Board of Library Trustees"

Town Manager Bernard Lynch, explained that he had met also with the Trustees and there are a few items that need to be addressed, regardless of the outcome of the vote. One being the handicap accessibility issue. The Trustees will come back in the future with plans and costs.

The Moderator asked for a show of hands on the motion to withdraw, motion carried, unanimously. The article read as follows: Should the Town vote to raise and appropriate, a certain sum of money for the purpose of designing, constructing, and originally equipping an addition to the Adams Library.

UNDER ARTICLE 12 The Moderator read a motion by Selectman Robert Joyce, to amend the article by deleting the reference to Assessors' Map 81, Lot 12. Selectman Joyce explained that this was the area previously known as the Glenview Sand and Gravel site. It was the Board's concern that it was too close to an residential area. He said that Selectman Lawlor would give further explanation.

Selectman Lawlor said the main purpose of the article and the reasoning of the Board of Selectmen is to expand the present CX zone to include two more areas in a IA zone with an CX overlay. Presently the Town could have an establishment opened anywhere and have no grounds to prevent it, because the courts could find the present zoned areas too restrictive and in violation of first amendment rights. The Town must have realistic areas in order to be able to enforce control with by-laws of rules and regulations. By having actual zoned areas these are the only locations where adult entertainment business establishments could exist. The IA zone was chosen because these areas are primarily zoned for industrial purposes. Only certain items are allowed in this zone. With the CX overlay, it would require Planning Board recommendation, and Town Meeting action in order for the actual use to take place. John Wilder wanted to know who owned the properties in question? Selectman Lawlor said that Map 123 Lot 32 was owned by Joseph J. Balbonir Trust and B & L Realty Trust. Lot 33,34,35, are owned by Raymond A & Barbara F. Carye Trustees. Lot 37 is owned by Appleseed LTD Partnership. Map 242 Lot 1 is owned by New Boston Chelmsford

LTD Partnership. Lot 18 MGI Chelmsford Corp. John Wilder then wanted to know what exactly is allowed in a CX zone? Selectman Lawlor read the zoning by-law to the Body. Adult entertainment establishments, adult bookstore, adult motion picture theater, adult video stores, etc. Questions were asked concerning the sites chosen.

At this point Selectman Robert Joyce introduced the Town's newly appointed Town Counsel, John Giorgio, from the Law firm of Kopelman and Paige. John Giorgio re-confirmed everything that Selectman Lawlor said. He stressed that if the Representatives didn't vote for this zoning change it would open a window of opportunity for X-rated business to open in the Town. Bill Griffin questioned how many acres are involved. The Town Manager Bernard Lynch said that there were roughly sixteen acres per site. Linda Allen and Rodney Cleaves expressed the concerns from the neighborhood residents next to the Industrial Ave area. There are many homes that directly abut the land in question. In one section are no trees or buffers between these homes and the present buildings. She felt that the Board of Selectmen didn't take the neighborhood into consideration. John Giorgoi explained that the Representatives could redefine the zone` at a later meeting.

The Moderator asked for a vote by way of a show of hands on Selectman Joyce's motion to amend by deleting the Glenview Sand and Gravel site. Motion carried. The Moderator then asked for the Finance Committee's recommendation. The Finance Committee supported the article. The Board of Selectmen recommended the article. The Moderator asked for the Planning Board's recommendation.

Chairman James M. Creegan read the Board's recommendation: "The Planning Board held a public hearing on October 11, 1995 on the above mentioned article. after advertising a legal notice in the Lowell Sun on September 20th and 27th, 1995, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At the meetings of October 11 and October 19, 1995, the proponents, residents and the Planning Board discussed the merits of this zoning map change. It is the opinion of the Planning Board that the warrant article should be approved by Town Meeting contingent upon the removal of the Sand and Gravel pit which is 30 acres located in Drum Hill off Steadman Street. Therefore, in keeping consistent with the general intent of the Zoning By-laws in the development of the community, the Planning Board voted (4-1) to recommend with the above mentioned contingency an amendment to the Town of Chelmsford Zoning Map to establish additional Adult Entertainment (CX) Zoning District as overlay district in certain areas of the Town currently zoned Limited Industrial (IA).

James Creegan said that the Planning Board voted to further study this issue by way of forming a sub-committee. If need be the Committee will make further recommendations to the master plan committee, that is being addressed under article 17 of this warrant.

Dennis Ready spoke against the article. Other area's should be considered, such as historic buildings that are

privately owned. He moved to defer article 12 to a committee to act as an ad hoc counsel in drafting articles for town meeting pertaining to adult entertainment in Chelmsford. The Committee will be appointed by the Town Manager.

The Moderator asked for the Board's recommendation. Both the Finance Committee and the Board of Selectmen were against the motion to defer. Selectman Joyce asked for Town Counsel's opinion. John Giorgio recommended against deferring. He said that tabling would only allow six months delay on the two parcels shown tonight. It would not address the actual issue because it can be challenged in the meantime. A discussion took place. Many Representatives spoke against the motion to table and spoke in favor of the article. Allen Thomas moved the question to stop debate. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator asked for a show of hands on the motion to table. Motion defeated. Richard Day moved to amend the article by deleting the reference to Assessor's map 242, Lots 1 and 18, and Assessors Map 123, lots 34 and 35. He explained that this would remove all vacant lots show on the two maps. Selectman Joyce said that the article should be passed as presented, the more it is amended the weaker it becomes. Selectman Susan Gates spoke against the motion to amend, and spoke in favor of the article as voted as amended by the Board. She felt that it was now the Representatives responsibility to act upon this issue tonight without further delay. If this isn't addressed and established then a business can open up anywhere in Town. Samuel Poulten spoke in favor of the motion to amend by deleting the vacant lots. Allen Thomas moved the question to stop debate. Motion carried, unanimously. The Moderator asked for a show of hands on the motion to amend. Motion defeated. Cheryl Warshafsky asked for a roll call. The Moderator said this was out of order. A roll call vote can only be done for the vote taken on a main motion, not on a motion to amend. Michael Sockol moved the question to stop further debate. Motion carried, unanimously. The Moderator asked for a show of hands on the main motion as amended. This left the Chair in doubt. The following tellers came forward, Dorothy Frawley, Patricia Plank, Lucy Simonian, John Maleski and a hand count was taken: Yes 125 No 16 2/3's is 94, the motion carried. The article reads as follows:

Selectman Robert P. Joyce moved to amend the official zoning map of the Town of Chelmsford to establish, as overlay zoning districts, the following areas as adult entertainment districts (CX): Assessors' map 123, Lots 32, 33,34, 35 and 37; Assessors' map 242, Lots 1 and 18; and that the uses now permitted in the underlying zones shall not be affected by this zoning amendment.

Allan Thomas moved to adjourn the meeting until Monday October 23rd at 7:30 PM at the Senior Citizen Center. The Moderator asked for a show of hands, motion carried, unanimously.

The Meeting adjourned at 11:15 PM.

_____ _____

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING
October 23, 1995

Moderator Dennis J. McHugh, recognized the presence of a quorum and called the meeting to order at 7:35 PM, at the Senior Center on Groton Road. There were 139 Town Meeting Representatives present. He made a few public announcements. One being that due to a conflict he was going to step down as Moderator for Article 13, and the Town Clerk, Mary E. St.Hilaire, would be the acting Moderator, for this article.

UNDER ARTICLE 13 Town Manager Bernard Lynch, moved that the Town vote to authorize the Town Manager to execute a contract with Ogden-Martin Inc. for solid waste disposal for a term not to exceed ten years.

Town Manager Bernard Lynch explained that the Town was looking for a long term contract that will guarantee a place to bring trash for ten years. Right now the Town pays $45.00 a ton, which will definitely increase at the end of the contract. This new contract will not only guarantee a place for trash to go, it will guarantee a yearly cost for each of the ten years of the contract. The only way the costs can be increased is if the State or Federal government changes the law, or if there is an event of force majeure. Even if that happens the total additional cost is not to exceed a cumulative total of $30/a ton. If that happens then the Town can cancel the contract. John Wilder wanted to know about the company. The Town Manager said that the Company is a subsidiary of the Ogden Corporation, which has been in existence for many years. The Ogden Projects Inc., has twenty-six waste to energy plants, and various other types of plants, including power, water and wastewater and construction. Ogden Services business groups include, entertainment, aviation, environmental, technology, facility. The plant that would handle the Town's trash is located in Haverhill, which generates electricity. Richard Day wanted to know what the highest fee charged could be? The Town Manager said $89.00. He showed a list of the proposed fees which would be contracted for the next ten years. This will allow for long-term financial planning and budgeting. He predicted that the solid waste budget will remain within the ceiling of the solid waste prop 2 1/2 override for all ten years of the contract. A discussion took place. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Acting Town Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Dennis McHugh returned to the podium as the Moderator.

UNDER ARTICLE 14 Selectman Robert P. Joyce moved that the Town vote to accept Massachusetts General Laws Chapter 138, Section 12B regarding the prohibition of nudity in any premises licensed to sell alcoholic beverages.

Town Manager Bernard Lynch, said that the Board of Selectmen will have the right to prohibit the selling of alcoholic beverages if there is nudity on premises of an establishment, if this article is passed. Questions were asked concerning the enforcement of this in other zoning districts in the Town. This would only apply to the IA zones which have the CX overlay zone, which are the adult

entertainment zones in the Town. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 15 Michael Sockol moved the to waive the reading of the article. The Moderator asked for a show of hands, motion carried, unanimously.

Town Manager Bernard Lynch explained at the time when petitions were to be filed, the Board of Selectmen were in the process of obtaining a new Town Counsel. The proponent had submitted the article, but didn't do it on the petition format. In all fairness the Town Manager felt he should submit the article, he was not endorsing it one way or the other. It was to be the decision of the Representatives to accept or not accept it. He then asked John Coppinger to explain the article.

John Coppinger read the following statement to the Body: "I feel that it is important for us as elected Town Reps and a separate part of the Town Government that we be organized and informed so that we are able to better control our own actions and not allow yourself to be managed by either the Moderator, selectmen, Town Manager or any one else. To accomplish this we need to set up a table of organization to manage our own precinct meetings. The election of a precinct Chairman, Assistant Chairman and Secretary should be the number one action item when we hold our first meeting. Another item of top concern that I am constantly hearing from the town people and that is that they don't mind giving up their personal right to vote, but they want to know in hard copy just how we are using this valuable privilege. If we are using their vote for items that they agree with they want to be able to know and cheer for us. But at the same time, if they feel we are not voting their views or the best interest of the town, as they see them. They want to know this information so that the next Town election they can let us know their feelings when they vote for their Town Reps. I am sure that everyone here will agree that this is a reasonable request and the only thing we have to do is set up the easiest and less time consuming procedure that will make it happen. It is my opinion that the proposal I am presenting should not take any more that 5 minutes to complete and We would only do polling on the final vote on a Warrant Article where a roll call vote is requested and voted for by the Town Reps. With these few brief remarks I hope you will better understand my reasons for submitting this warrant article to amend the Charter to correct this accountability issue that I have been told is so important to ALL the Town voters that we represent."

A number of Town Meeting Representatives asked questions. Michael Sockol and Elizabeth Marshall questioned the need for having to sit together by precinct. They felt the Town needs to maintain diversity. Voting blocks may result if precincts stay together. Dean Carmaris wanted to know what the present tellers qualifications were. The Moderator explained that the present tellers are non-Town Meeting Representatives. This way there could be no controversy or any possible conflict. The same four people are used for every meeting. Sue Olsson asked if the Town CLerk, Mary St.Hilaire had been consulted about these

possible changes? Mary St.Hilaire said that John Coppinger had met with her and she offered a few suggestions. However, she felt that the final decision was up to the Representatives concerning how they wanted to be monitored regarding their voting. Wendy Marcks of the School Committee questioned how would any Representative who is sitting with his or her committee cast a vote, if not sitting with their precinct. Evelyn Thoren questioned the monitoring of attendance at the precinct meetings. Many of the Representatives must or do attend other committee meetings. Would this be an official requirement or volunteer? Strictly volunteer. Leonard Doolan question what type of manipulation has taken place? Bob Hawking said that he supported the spirit of the article but questioned if the proponent would be willing to withdraw it at this time and bring it back after further research. John Coppinger said that he would be willing to withdraw. The Moderator said that the article could only be withdrawn during debate. A few more questions were asked. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was against the article. The Board of Selectmen did not recommend the article. The Moderator inquired if the proponent was in fact going to withdraw his article. John Coppinger said he decided not to withdraw the article. He wanted to have the Representatives vote one way or the other. Bernard Ready spoke against the article. He felt that the Representatives had already addressed accountability/record keeping issue by the Procedural Committee last year. The Committee made a report which contained suggestions and the Representatives voted it down then and urged them to do so again. Bradford Emerson moved the question to stop debate. The Moderator asked for a show of hands, which left the Chair in doubt, a 2/3's vote was needed. He asked for the tellers to come forward and conduct a hand count. The following tellers were present: Dorothy Frawley, Lucy Simonian, Patricia Plank, and John Maleski. The result of the hand count: Yes 89 No 43 2/3's 88 the motion carried. The Moderator asked for a show of hands on the main motion, motion defeated. The defeated article read as follows:

John Coppinger moved that the Town vote to amend its General Bylaws by inserting a new section Article II, to read as follows:

Section 5. Town Meeting Representatives

5.1 Within 30 days after the Annual Town Election, Town meeting Representatives in each precinct will meet, and elect a Precinct Chairman, Assistant Chairman, and Secretary for a term of one year. The Town Meeting Representatives will then confer on Town business and set a date for their next meeting.

5.2 Each precinct will meet a minimum of four times a year for discussion of Town business and any concerns constituents may have. Based upon these meetings, Town Meeting Representatives may submit petitions for consideration by the Town Meeting. All meeting will be subject to provisions of the Open Meeting Law.

5.3 All Town Meeting Representatives shall be seated by precinct and voting on each Warrant Article will be

conducted by the Precinct Chairman polling each Town Representative. Each Precinct Chairman shall be sworn in by the Town Moderator as a teller. The Secretary will record the vote. After the polling is completed, the Chairman will report the total vote by the precinct to the Town Moderator.

5.4 A report of each member's recorded vote will be turned over by the Precinct Secretary to the Town Clerk at the end of each day's meeting. This voting record will be filed in the Town Clerk's office for inspection by any interested citizen of the Town.

5.5 Because it is almost impossible for most Town Meeting Representatives to find the time to attend all of the Town Board Meetings, interested members may be appointed at Precinct Meetings to attend from time to time Town Board meetings and report back to their Precinct Meetings on any items of interest.

UNDER ARTICLE 16 Town Manager Bernard Lynch, explained that $150,000.00 of this money is from the savings of the Solid Waste override voted a few years back. This represents $12.00 per household. A discussion took place. Clare Jeannotte wanted to table the article until the conclusion of article 21, which has the expenditures of more free cash. The Finance Committee and the Board of Selectmen were both in favor of tabling the article. George Merrill spoke against the article. He felt that the money should be returned directly to the taxpayers. The Moderator asked for a show of hands on the motion to table, which left the Chair in doubt. The tellers came forward and a hand count was taken: Yes 78 No 51 motion carried to table.

UNDER ARTICLE 17 Bernard Lynch, Town Manager moved that the Town vote to appropriate from free cash the sum of $50,000. for the purpose of updating the Town of Chelmsford Master Plan.

James Creegan, Chairman of the Planning Board explained the article, and the purpose of the Committee which was formed. The Committee is to review and to update or replace the current Master Plan. This is a state law that the town is required to do every ten years.

There were fourteen members of the Committee besides himself, Anthony Zagzoug, Building Inspector; James Harrington, Town Counsel; Thomas Firth, Jr Planning Board; James Pearson, Town Engineer; Wendy Marcks, School Committee; Paul McCarthy, Board of Health; Thomas Moran, Sewer Commission; Kim MacKenzie, Planning Board; David McLachlan, Conservation Commission; Robert Joyce, Board of Selectmen; Karen Wharton, Board of Appeals; Patricia Saber, Representative At Large; and Rayann Miethe, Recording Secretary. One of the most major flaws that the committee found was the present master plan did not take into consideration any buildable land that maybe subdivided even though it already had a structure on it, when citing the total amount of buildable land left in Town. The Committee felt that the goals/topics which need to be addressed are those of Housing, Land Use, Environment, Traffic, Public Utilities, Economic Development. The Committee felt that a

professional municipal planner is needed to help the Committee address these areas. Dennis Ready asked if there will be a vision statement? Yes it will be included in this new master plan. John Wilder question why $50,000. is needed? The amount requested is the maximum what has been paid by surrounding towns. It is not necessary the amount that the Town will pay. The Committee has gone out on bid and hopes to have a planner by December 1st. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. David McLachlan of the Conservation Committee who was also a member of the Master Plan Committee asked for support of the article. Richard Day and Dennis Ready both spoke in favor of the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 18 Town Manager Bernard Lynch, moved that the Town vote to appropriate from free cash the sum of $100,000.00 for the purpose of purchasing equipment for the operation of the municipal golf course.

The Town Manager Bernard Lynch explained that this is needed for the investment for the Town. If the equipment can be purchased for a lower price it will be. Presently there are sixteen proponents interested in managing the golf course. Jeffrey Stallard wanted to know what type of equipment would be purchased? Tractors, backhoes, mowers, golf carts. David McLachlan wanted to know when the final plan will be shown? The Manager explained that bids will be due in November, then it will be determined what the full cost will be. Jeffrey Stallard wanted to know why couldn't the present Town owned equipment be used. The Manager explained that it will mostly be specialized equipment in size, nothing that the Town already uses. Henrick Johnson wanted to know why this couldn't wait until April. The Town Manager explained that everything has to be in place and ready for the season which starts in the Spring. Bob Hawking wanted to know what the fixed cost would be to make improvements to the course? This would be assessed professionally by whoever will be managing the grounds and the decision will be made by them on the needs and time frame involved. More discussion took place. The Finance Committee recommended the article. The Board of Selectmen recommend the article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 19 Town Manager Bernard Lynch, moved that the Town vote to appropriate from free cash the sum of $1,000,000.00 to defray all necessary cost, fees and expenses in connection with the acquisition of the Apple Country Club and for paying any damages which may be awarded as a result of any such taking.

Town Manager Bernard Lynch, explained that the Town already authorized the purchasing of this land by borrowing under article 12 of the May 4, 1995 Special Town Meeting. However, by paying for this acquisition with free cash, it would save the Town $330,000.00 in interest by not having to float a bond for ten years. Also the Town would be restricted when borrowing. The Town would only be allowed to have two years of outside management. The Town wants to have an outside concern manage the property full time, which can be done because there will be no debt. The Finance Committee

recommended the article. The Board of Selectmen recommended the article. George Merrill spoke against the article. He felt that the Town collected two million to much from the taxpayers, and all the money should go back to them. More discussion took place. Dennis Ready moved the question. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator asked for a show of hands on the article, which left the Chair in doubt. The tellers came forward and an hand count was taken: Yes 120 No 14 2/3's was 89, the motion carried.

UNDER ARTICLE 20 Town Manager Bernard Lynch, moved that the Town vote to appropriate from free cash $379,500.00 to fund negotiated collective bargaining agreements.

Town Manager Bernard Lynch gave a presentation that listed the following amounts:

$370,000.00	School Department
2,500.00	Cemetery Department
7,000.00	Highway Department
$379,500.00	TOTAL

He went on to further explain that this is a one time negotiated settlement amount by these three bargaining units. These unions forfeited certain items in return for this one time pay off. This will not effect the tax base because it is coming from free cash. Clare Jeannotte asked what would happen if this article was defeated? The Town Manager explained that re-negotiations would have to start again. Glenn Thoren asked what would have happened if there was no free cash available? The Manager explained that a different stricture in negotiating the contract would have taken place. Robert Hall wanted to know how much savings in the School Budget this would present. Wendy Marcks, Chairman of the School Committee explained that $75,000 would be saved the first year of the contract and $172,000.00 would be saved the second year of the contract, for a total savings of $250,000.00. A Discussion took place. The Finance Committee recommended the article now that the figures were available. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 21 Town Manager Bernard Lynch, moved that the Town vote to appropriate from free cash the sum of $431,097.00 to be added to the Stabilization Fund.

The Town Manager explained that he wants to rebuild the stabilization fund up to 5% of the budget. It makes the Town look like a well plan community. Which looks good for bond rating. With a good rating the Town can borrow for 1% less when it comes time to borrow for sewage and other projects. During the difficult times of 1991-1992 no reserve money was available. John Wilder questioned why this money wasn't set aside last April. This is money that was made available after the budget was passed. Estimates are made and projected figures are passed. There is no way to determine the actual amount of monies collected from real estate and excise taxes until it has been done. The Finance Committee supported the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried.

The Moderator explained that the Body was to return to article 16 which had been tabled.

UNDER ARTICLE 16 Town Manager Bernard Lynch, moved that the Town vote to appropriate from free cash the sum of $200,000.00 for the reduction of the tax rate.

The Town Manager said that he had already explained the article previously and asked for support. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 22 Town Manager Bernard Lynch, moved that the Town vote to amend the Fiscal Year 1996 operating budget under Article 2 of the April 24, 1995 Annual Town Meeting.

	Change	Revised
1. General Government Salary	+$4,924	$1,032,557
2. General Government Expense	+ 7,000	392,298
6. Public Education	+516,084	28,219,409
7. Nashoba Assessment	-14,455	496,617
8. Public Safety Salary	+48,933	5,575,589
12. Public Works Salary	+21,138	1,136,636
13. Public Works Expense	-17,000	2,570,595
19. Cemetery Salary	+ 934	170,070
23. Community Service Salary	+ 1,481	353,346
25. Library Salary	+25,679	667,118
DEBT and INTEREST		
29. Principal	-79,316	4,163,510
30. Interest	-25,396	1,864,409

The Town Manager explained the changes shown. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 23 Selectman Robert P.Joyce, moved that the Town vote to authorize the Board of Selectmen to acquire an easement for public or municipal parking purposes on a portion of the property at 40 Vinal Square shown on Assessors Map 7 as Lot 10, on such terms and conditions as the Board of Selectmen may determine, or in the alternative, to authorize the Board of Selectmen to enter in a lease for said parcel for a period in excess of three (3) years.

The Town Manager explained a lot of road work is being done presently within the square to improve the area. This article was needed in order to improve the parking conditions in Vinal Square. Jeffrey Stallard questioned if there was going to be a fence along the tree area located in the back part of the lot? Even though it will be lighted, the possibility of a fence should be looked into. The Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen supported the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 24 Henrick Johnson moved to waive the reading of this article. Motion carried, unanimously by a show of hands.

Chairman of the School Committee, Wendy Marcks,

explained that this money would go directly to programs not under the supervision of the School Committee. Anthony Volpe, member of the School Committee said that there are fifty communities in Massachusetts who already have this program in motion. This would be a chance for the public to support the school system if they so choose, over and above what they pay in real estate taxes. Michael Sockol questioned who would have the appointing powers to appoint the committee. Anthony Volpe said that it would be the Town Manager. Kit Harbison questioned the amount of money involved needed to start. It would be the cost of the lock box, one time printing fee to adjust the tax bill, and administration cost. Barbara Ward questioned what has happened to pass funding programs? Judith Hass of the Chelmsford Education Foundation said that their foundation was unsuccessful and dissolved. The Finance Committee did not support the article. They felt that other departments would want the same privileged, and it would not be a good precedent to set. The Board of Selectmen supported the article. A discussion took place. Questions were asked concerning the flexibility of the banks allowing for these extra funds when people have escrow accounts for their taxes. It was felt that most people wouldn't want to give any more than what they already do. Why go into the expense of setting up an account and administering it, only to have it be closed up. Susan Gates moved to amend the article by adding to section E. number four (4) The Chelmsford Education Fund shall disburse all funds and dissolve at the end of FY 1998 unless renewed by a vote of Town Meeting. She explained that this would give the program a fair chance. If it didn't prove worth while then it could be dissolved. The Finance Committee did not support the motion to amend. The Board of Selectmen supported the motion. The Moderator asked for a show of hands on the motion to amend. Motion defeated. More discussion took place. John Wilder spoke in favor of the article. The Finance Committee members were polled for their vote of the article. All the members said they were against the article. More discussion took place. James Young moved the question to stop debate. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator asked for a show of hands on the article. Motion defeated. Jeffrey Stallard moved to have a roll call conducted. The Moderator asked the tellers to come forward and take a hand count: 17 were in favor of a roll call vote. The By-law states that 40 representatives must be in favor. Roll call motion defeated. The defeated article read as follows:

Chairman of the School Committee, Wendy Marcks, moved that the Town vote to accept the provisions of General Laws Chapter 60, Section 3C, authorizing the establishment of the Chelmsford Education Fund, and to amend the General by-laws by adding a new section 13 to Article VII, to read as follows:

Section 13, Chelmsford Education Fund

A. Purpose

The Town of Chelmsford Education Fund is established in accordance with the provisions of M.G.L. Chap. 60, Section 3C as amended by the Acts of 1993 to provide supplemental educational funding for local educational needs.

B. DEFINITIONS

1. *Local educational needs* shall be defined as the needs of the schools and students which are under the jurisdiction of the Local Education Agency (LEA) which is the Chelmsford Public Schools.

2. *Supplemental educational funding* shall be defined as that which adds to or enhances the educational opportunities provided by the Local Educational Agency and funded by the Town of Chelmsford. Supplemental funding cannot a.) take the place of funds requested in the Chelmsford School Committee's annual budget request which support the essential curriculum and programs of the Chelmsford Public Schools; b.) create new ongoing programs which cannot be supported in the future by the Chelmsford Public Schools or c.) provide for the continuation of programs which the Chelmsford Public Schools no longer support.

THE CHELMSFORD EDUCATION FUND COMMITTEE

1. There shall be established a Chelmsford Education Fund Committee to administer the Chelmsford Educational Fund and to authorize the expenditure of its funds.

2. Members of the Chelmsford Educational Fund Committee shall be the Superintendent of Schools or his designee and four residents of the Town, one of whom shall be a member of the Chelmsford School Committee (recommended by the Chairman), one of whom shall be the parent of a child enrolled in the Chelmsford Public Schools, one of whom shall be a member of the business community, and one at large member.

3. Appointment to three year terms will be made in accordance with the statute. Upon initial formation of the Committee, terms of members will be arranged so that the terms of as nearly an equal number of members as is possible shall expire each year.

D. MEETINGS

1. The Chelmsford Education Fund Committee shall meet quarterly and at other times are deemed necessary and appropriate for the conduct of Committee business.

2. A quorum for purposes of transacting business shall consist of four members. Decisions shall be based upon the vote of a majority of the members present.

3. The Town Treasurer shall provide the Committee with quarterly financial reports on the status of the Chelmsford Education Fund.

E. PROCEDURES

1. Written proposals requesting supplemental funding from the Chelmsford Education Fund shall be submitted to the Chelmsford Education Fund Committee at least two weeks before a meeting and shall be presented according to the format specified by the Committee.

2. Application for such funds may be made by the Chelmsford School Committee through the superintendent of Schools, by a School Committee (as established under M.G.L. Chap.71, Section 59C) and by members of the professional staff employed by the Chelmsford Public Schools.

3. All requests for supplemental funding must support the mission and beliefs of the Chelmsford Public Schools and be in accordance with Chelmsford School Committee policy.

Dennis Ready moved to adjourned the Town Meeting seeing that there was no further business at hand. The Moderator asked for a show of hands, motion carried, unanimously.

The meeting adjourned at 11:00 PM.

_____ _____

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

THE COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin, Secretary of the Commonwealth

SS.

To either of the Constables of the Town or City of Chelmsford

GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Primaries to vote at:

Precinct	1	Town Office Building Gymnasium
Precinct	2	Harrington Elementary School Gymnasium
Precinct	3	Harrington Elementary School Gymnasium
Precinct	4	Westlands School Cafetorium
Precinct	5	Byam School Cafetorium
Precinct	6	Westlands School Cafetorium
Precinct	7	McCarthy Middle School, Small Gymnasium
Precinct	8	McCarthy Middle School, Small Gymnasium
Precinct	9	Town Office Building Gymnasium

on TUESDAY, THE 5TH OF MARCH, 1996
7:00 a.m. to 8:00 p.m. for the following purpose:

To cast their votes to the Primary Officers for the election of candidates of political parties for the following office:

PRESIDENTIAL PREFERENCE
DISTRICT MEMBERS OF STATE COMMITTEE (one man and one woman) for each Political party for the 5th Middlesex Senatorial District.

35 Members of the Democratic Town Committee

35 Members of the Republican Town Committee

3 Members of the Libertarian Town Committee

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 12th day of February, 1996.

Robert P. Joyce, Chairman

Peter V. Lawlor, Vice Chairman

William F. Dalton, Clerk

Susan J. Gates

Thomas J. Welch

3445

TOWN OF CHELMSFORD
COMMONWEALTH OF MASSACHUSETTS

Middlesex

Date Feb 16, 1996

Pursuant to the within Town Meeting Warrant, I have notified and warned the inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:

Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafeteria, Byam School Cafetorium, Westland School Cafeteria, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed William E. Spence

William E. Spence,
Constable

A True Copy Attest, William E. Spence

William E. Spence, Constable

DEMOCRATIC PRESIDENTIAL PRIMARY – MARCH 5, 1996

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
PRESIDENTIAL PREFERENCE										
Blanks	1	1	5	0	3	3	1	0	0	14
Bill Clinton	93	51	73	81	67	106	84	89	51	695
Lyndon H. LaRouche, Jr.	1	1	2	3	1	4	2	1	1	16
No Preference	5	3	2	4	2	8	3	5	3	35
Buchanan	2	0	2	0	0	4	1	1	3	13
Write–In	5	0	2	1	1	1	0	3	0	13
Misc	0	0	1	0	0	0	2	0	0	3
TOTAL	107	56	87	89	74	126	93	99	58	789
STATE COMMITTEE MAN–5th Mldsx (1)										
Blanks	36	13	24	21	18	30	30	23	20	215
Thomas J. Larkin	70	43	63	68	56	96	63	74	38	571
	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	0	0	2	0	2
Misc	1	0	0	0	0	0	0	0	0	1
TOTAL	107	56	87	89	74	126	93	99	58	789
STATE COMMITTEE WOMAN–5th Mldsx(1)										
Blanks	31	20	27	19	17	37	22	29	14	216
Virginia M. Allan	21	3	14	15	20	21	15	17	7	133
Susan R. Burstein	11	3	13	9	5	17	14	12	6	90
Carol Y. Mitchell	42	29	32	46	32	47	41	40	31	340
	0	0	0	0	0	0	0	0	0	0
Write–In	1	0	1	0	0	1	1	1	0	5
Misc	1	1	0	0	0	3	0	0	0	5
TOTAL	107	56	87	89	74	126	93	99	58	789

DEMOCRATIC TOWN COMMITTEE (35)	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	
Blanks	1933	942	1418	1060	893	2322	1449	1607	976	12600
Dennis J. Ready	72	31	54	64	57	80	70	68	36	532
Samuel Poulten	54	31	51	58	51	66	52	53	31	447
Irene J. Cetaruk	46	32	53	59	45	56	49	52	28	420
John P. Emerson, Jr.	69	35	56	64	54	75	64	69	34	520
Paul J. Cerqua	47	27	40	56	46	51	47	48	29	391
Alexander W. Gervais	50	28	49	58	46	55	52	55	28	421
Adrienne M. Jerome	47	29	46	58	50	53	47	50	29	409
Richard J. Jerome	46	29	45	54	44	50	45	48	29	390
Benari J. Poulten	48	30	43	56	49	55	46	45	29	401
Charles K. Spear	46	28	50	55	47	51	50	50	28	405
James T. Ravanis	45	25	38	51	45	51	51	48	28	382
Scott E. Johnson	57	30	51	61	50	61	50	56	32	448
Christos Simorellis	56	26	50	62	53	64	55	53	34	453
Louise P. Duhamel	44	26	41	56	45	54	45	48	28	387
Gail E. Poulten	48	30	45	56	50	61	47	49	29	415
John L. Ingraham	44	28	43	54	44	49	45	47	29	383
Cathy A. Hutchinson	48	26	44	59	49	57	49	48	28	408
Bernice F. Poulten	47	28	41	55	48	54	45	50	29	397
Grace M. Dunn	51	32	47	62	50	65	52	54	31	444
Thomas E. Moran	50	27	49	56	48	55	51	56	28	420
James M. Harrington	59	33	52	61	50	62	57	56	32	462
Barry T. Bell	59	29	53	60	49	65	59	57	32	463
Marianne J. Paresky	49	33	46	57	49	63	49	58	31	435
Gary D. Sullivan	50	27	43	56	46	56	49	50	28	405
Cheryl M. Warshafsky	49	31	48	61	49	63	51	49	32	433
Daniel J. Sadkowski	48	28	42	55	45	53	50	51	29	401
Kellie A. Dunn	49	31	46	62	51	60	49	51	31	430
Linda J. Allen	51	26	44	61	47	62	49	52	30	422
Paul F. Allen, Jr.	51	26	42	57	45	52	47	50	29	399
Raymond P. McKeon	66	32	48	58	50	68	63	69	34	488
Loretta A. Gelenian	45	28	44	60	46	56	52	49	28	408
Yvette M. Lemire	48	26	44	58	45	60	46	49	30	406
Mary E. White	56	31	44	65	50	68	55	53	28	450
Judith A. Olsson	59	32	51	67	54	75	57	62	32	489
Stratos G. Dukakis	58	27	44	63	50	62	61	55	31	451
	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	3745	1960	3045	3115	2590	4410	3255	3465	2030	27615

DEMOCRATIC TOWN COMMITTEE BY VOTES RECORDED (35)

Dennis J. Ready	532
John P. Emerson, Jr.	520
Judith A. Olsson	489
Raymond P. McKeon	488
Barry T. Bell	463
James M. Harrington	462
Christos Simorellis	453
Stratos G. Dukakis	451
Mary E. White	450
Scott E. Johnson	448
Samuel Poulten	447
Grace M. Dunn	444
Marianne J. Paresky	435
Cheryl M. Warshafsky	433
Kellie A. Dunn	430
Linda J. Allen	422
Alexander W. Gervais	421
Irene J. Cetaruk	420
Thomas E. Moran	420
Gail E. Poulten	415
Adrienne M. Jerome	409
Loretta A. Gelenian	408
Cathy A. Hutchinson	408
Yvette M. Lemire	406
Charles K. Spear	405
Gary D. Sullivan	405
Benari J. Poulten	401
Daniel J. Sadkowski	401
Paul F. Allen, Jr.	399
Bernice F. Poulten	397
Paul J. Cerqua	391
Richard J. Jerome	390
Louise P. Duhamel	387
John L. Ingraham	383
James T. Ravanis	382

REPUBLICAN PRESIDENTIAL PRIMARY – MARCH 5, 1996

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
PRESIDENTIAL PREFERENCE										
Blanks	2	1	2	1	2	0	6	4	2	20
Richard G. Lugar	5	5	6	5	8	7	18	2	5	61
Morry Taylor	0	0	1	0	1	3	1	0	0	6
Phil Gramm	0	0	0	0	0	0	1	2	0	3
Patrick J. Buchanan	109	64	89	77	96	94	93	62	101	785
Bob Dole	144	74	115	92	133	146	161	155	173	1193
Steve Forbes	46	16	37	33	44	45	50	34	49	354
Lumar Alexander	34	15	26	14	26	30	21	25	30	221
Alan Keyes	5	1	2	3	3	2	5	3	3	27
Robert K. Dornan	0	0	2	1	0	1	0	0	0	4
No Preference	2	1	3	1	2	11	3	4	2	29
	0	0	0	0	0	0	0	0	0	0
Write–In	1	0	2	0	2	4	1	3	3	16
Misc	1	0	0	0	0	0	0	0	0	1
TOTAL	349	177	285	227	317	343	360	294	368	2720
STATE COMMITTEE MAN–5th Mldsx (1)										
Blanks	107	76	120	83	123	130	115	98	117	969
David P. Railsback	88	44	74	58	60	94	89	79	94	680
Tom Valle	154	57	90	86	134	116	155	115	156	1063
	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	3	0	1	0	4
Misc	0	0	1	0	0	0	1	1	1	4
TOTAL	349	177	285	227	317	343	360	294	368	2720
STATE COMMITTEE WOMAN–5th Mldsx(1)										
Blanks	81	54	87	64	106	92	94	70	72	720
Martha Bradley–Roche	24	15	26	23	27	31	28	27	40	241
Judy L. Cypret	87	42	80	54	61	73	103	94	57	651
Margaret A. Fudge	157	66	92	86	120	144	134	99	198	1096
	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	3	0	1	1	5
Misc	0	0	0	0	3	0	1	3	0	7
TOTAL	349	177	285	227	317	343	360	294	368	2720

REPUBLICAN TOWN COMMITTEE (35) GROUP 1	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	
Blanks	6349	3673	6000	3754	6776	5324	6292	4780	6409	49357
Jeffrey A. Brem	130	40	77	71	108	149	158	130	144	1007
Lisa H. Brem	125	38	67	63	104	136	144	116	136	929
Richard F. Burtt, Jr.	119	39	68	63	81	130	143	111	128	882
Norman L. Cease	114	33	54	53	81	124	128	110	141	838
Natalye B. Cease	117	36	59	57	85	125	128	109	140	856
Nancy P. Clark	122	42	71	70	87	134	161	123	130	940
Lincoln Clark, III	112	38	61	59	83	130	144	118	121	866
Carol C. Cleven	154	58	118	89	153	182	198	157	176	1285
Walter A. Cleven	133	49	89	67	112	154	177	139	151	1071
Richard Codling	115	36	52	55	79	124	129	108	126	824
John G. Coppinger	120	38	56	64	82	126	125	113	128	852
Philip L. Currier	128	46	70	68	97	149	145	112	138	953
Marian D. Currier	130	44	65	65	97	144	145	116	128	934
William C. Curry	112	36	59	54	85	132	141	125	122	866
James R. Doukszewicz	133	57	87	71	99	160	159	120	137	1023
Martha D. Doukszewicz	131	50	80	66	95	154	161	116	129	982
Peter Dulchinos	125	45	62	63	93	140	168	127	131	954
Bradford O. Emerson	141	52	101	77	119	167	179	132	157	1125
Eileen K. Fletcher	131	39	73	66	95	147	165	136	125	977
Margaret A. Fudge	136	47	86	74	113	152	154	135	161	1058
John S. Fudge, Jr.	126	44	67	64	97	141	144	111	158	952
Joan B. Gutwein	116	37	61	59	93	121	134	110	146	877
Joseph M. Gutwein	112	38	54	58	85	120	136	108	147	858
Jeannette B. Hannaford	131	40	68	67	91	144	141	116	122	920
Louis L. Hannaford, Jr.	129	40	65	64	89	137	140	114	122	900
Donna A. Johnson	125	47	69	66	92	146	142	117	135	939
Henrick R. Johnson, Jr.	127	47	81	69	94	158	150	124	137	987
John F. Ketcham	116	34	51	58	79	124	125	111	119	817
William R. Logan	146	53	81	78	112	160	178	126	148	1082
Muriel L. W. McGrann	112	35	56	64	80	124	122	104	141	838
Charles R. Moore	110	35	53	58	86	130	120	106	145	843
Colleen R. Pickard	120	35	69	61	87	138	148	117	121	896
Constance A. Pickard	117	34	65	57	85	133	144	115	124	874
Stuart G. Weisfeldt	138	46	91	66	107	154	172	146	142	1062
Thomasina L. MacKenzie	128	40	68	63	90	131	137	112	127	896

REPUBLICAN

GROUP 2	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	
Halvar P. Peterson	49	41	74	68	33	66	49	44	54	478
Delores A. Blomgren	56	41	59	88	53	80	59	54	72	562
Arthur W. Blomgren	57	43	63	83	49	76	54	56	71	552
Judy L.Cypret	57	34	50	64	41	58	46	56	53	459
John T. Warren	51	38	45	72	37	64	37	41	59	444
Nicholas Theochares	45	31	47	64	35	58	37	49	70	436
Florence E. Morrison	53	33	50	71	31	63	32	44	53	430
Linda D. Marinel	49	47	69	63	34	66	45	50	54	477
Francis X. Harrison, Sr.	50	36	48	62	28	61	31	41	64	421
Janet B. Hendl	47	34	55	69	32	66	48	62	53	466
Robert F. Wood	50	35	47	68	35	62	35	43	54	429
Sandra B. Martinez	62	38	54	68	35	64	40	51	57	469
Verton W. Lenfest	50	37	52	63	29	59	38	43	53	424
Frances S. deJager	49	34	43	67	31	56	33	43	60	416
Patricia A. Saber	54	41	45	65	31	58	35	46	69	444
Jeffrey W. Stallard	63	61	86	73	39	65	53	54	60	554
Leslie P. Cypret	51	31	48	64	30	58	40	52	52	426
Edward F. McCarthy	55	37	55	69	33	70	38	46	55	458
Bruce C. Foucar	54	42	47	71	36	59	47	48	66	470
Mark J.Keenan	47	33	42	69	31	56	26	44	55	403
Dorothy M. Harrison	50	34	52	69	37	59	35	44	66	446
Francis S. Harrison, Jr.	47	34	45	63	32	56	30	42	65	414
Eugene O. Picard, JR.	54	38	69	65	34	67	33	40	50	450
Christopher J. Luppi	47	36	46	65	29	55	29	37	49	393
Gilbert F. Saber	46	33	40	60	30	59	30	39	65	402
Ernest J. Taylor	55	34	47	70	32	59	33	37	56	423
Bonnie G. Wilder	73	42	73	78	68	75	67	57	89	622
Carmen L. Edwards	49	35	54	68	32	58	43	48	55	442
Write–In	15	1	16	5	7	1	0	2	9	56
Write–In	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	7	0	7	0	14
TOTAL	12215	6195	9975	7945	11095	12005	12600	10290	12880	95200

REPBUBLICAN TOWN COMMITTEE (by votes recorded 35)

Carol C. Cleven	1285
Bradford O. Emerson	1125
William R. Logan	1082
Walter A. Cleven	1071
Stuart G. Weisfeldt	1062
Margaret A. Fudge	1058
James R. Doukszewicz	1023
Jeffrey A. Brem	1007
Henrick R. Johnson, Jr.	987
Martha D. Doukszewicz	982
Eileen K. Fletcher	977
John S. Fudge, Jr.	952
Nancy P. Clark	940
Donna A. Johnson	938
Lisa H. Brem	929
Jeannette B. Hannaford	920
Louis L. Hannaford, Jr.	900
Colleen R. Pickard	896
Thomasina L. MacKenzi	896
Richard F. Burtt, Jr.	882
Joan B. Gutwein	877
Constance A. Pickard	874
Lincoln Clark, III	866
William C. Curry	866
Joseph M. Gutwein	858
Natalye B. Cease	856
Peter Dulchinos	854
Philip L. Currier	853
John G. Coppinger	852
Charles R. Moore	843
Muriel L. W. McGrann	838
Norman L. Cease	838
Marian D. Currier	834
Richard Codling	824
John F. Ketcham	817
Bonnie G. Wilder	622
Delores A. Blomgren	562
Jeffrey W. Stallard	554
Arthur W. Blomgren	552
Halvar P. Peterson	478
Linda D. Marinel	477
Bruce C. Foucar	470
Sandra B. Martinez	469
Janet B. Hendl	466
Judy L.Cypret	459
Edward F. McCarthy	458
Eugene O. Picard, JR.	450
Dorothy M. Harrison	446
John T. Warren	444
Patricia A. Saber	444
Carmen L. Edwards	442
Nicholas Theochares	436
Florence E. Morrison	430
Robert F. Wood	429
Leslie P. Cypret	426
Verton W. Lenfest	424
Ernest J. Taylor	423
Francis X. Harrison, Sr.	421
Frances S. deJager	416
Francis S. Harrison, Jr.	414
Mark J.Keenan	403

LIBERTARIAN PRESIDENTIAL PRIMARY – MARCH 5, 1996

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
PRESIDENTIAL PREFERENCE										
Blanks	0	0	0	0	0	0	0	0	0	0
Harry Browne	1	0	0	0	0	0	0	2	0	3
Rick Tompkins	0	0	0	0	0	0	0	0	0	0
Irwin Schiff	0	0	0	0	0	0	0	0	0	0
No Preference	0	0	0	0	0	1	0	0	0	1
	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	0	0	0	1	0	2	0	4
STATE COMMITTEE MAN–5th Mldsx (1)										
Blanks	1	0	0	0	0	1	0	2	0	4
	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	0	0	0	1	0	2	0	4
STATE COMMITTEE WOMAN–5th Mldsx(1)										
Blanks	1	0	0	0	0	1	0	2	0	4
	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	0	0	0	1	0	2	0	4
TOWN COMMITTEE										
Blanks	3	0	0	0	0	3	0	6	0	12
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0
Write–In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	3	0	0	0	0	3	0	6	0	12

WARRANT FOR ANNUAL TOWN ELECTION APRIL 2, 1996

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ:

Precinct 1.	Town Offices Building Gymnasium
Precinct 2.	Harrington Elementary School Gymnasium
Precinct 3.	Harrington Elementary School Gymnasium
Precinct 4.	Westland School Cafetorium
Precinct 5.	Byam School Cafetorium
Precinct 6.	Westland School Cafetorium
Precinct 7.	McCarthy Middle School, Small Gymnasium
Precinct 8.	McCarthy Middle School, Small Gymnasium
Precinct 9.	Town Office Building Gymnasium

On Tuesday, the 2nd day of April, 1996 being the first Tuesday in said month at 8:00 a.m. until 8:00 p.m. for the following purposes:

To bring in their votes for the following officers:

One Moderator for three years;

One Selectman for three years;

Two School Committee Members for three years;

Three Members of Public Library Trustees for three years;

One Board of Health Member for three years;

Two Members of Planning Board for three years;

Two Sewer Commissioners for three years;

One Member of the Housing Authority for five years;

One Cemetery Commissioner for three years;

and to vote on the following questions:

QUESTION 1

Shall the Town of Chelmsford approve the Town Charter amendment proposed by the May 8, 1995 (Article 17) Annual Town Meeting summarized below?

YES
NO

Summary: This question proposes to amend Section 2-5(d) of the Town Charter, governing the filling of vacancies for Town Meeting members. A majority vote in favor of this amendment would require any defeated write-in candidates to have received at least ten (10) votes in order to be eligible to fill such a vacancy.

QUESTION 2

Shall the Town of Chelmsford approve the Town Charter amendment proposed by October 19, 1995 (Article 2) Annual Town Meeting summarized below?

YES
NO

Summary: This question proposes to amend Section 8-5(l) of the Town Charter, which currently requires the elected Sewer Commission to dissolve on January 1, 2005. A Majority vote in favor of this amendment would not require the Sewer Commission to dissolve until the entire Town sewer project is completed.

QUESTION 3

Shall the Town of Chelmsford be allowed to exempt from the provisions of Proposition two and one-half (2 1/2), so called, the amounts required to pay for the bonds to be issued in order to design and construct sewers, pump stations, and force mains and for related legal, administrative, and other pertinent expenses, to complete the Town's Sewering Project by providing sewers to the remainder of the Town?

YES
NO

and to bring in their votes for the following:

Fifty-four Representative Town Meeting members; six representatives per precinct for a three year term.

One Representative Town Meeting Member for an unexpired two year term in Precinct 5.

The polls will be open from 8:00 a.m. until 8:00 p.m.; and to meet in the Senior Center, Groton Road, North Chelmsford, on Monday, the twenty-ninth day of April, at 7:30 p.m. in the evening, then and there to act upon the following articles, VIZ:

Article 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

Board of Selectmen

Article 2. To see if the Town will vote to raise and appropriate such sums of money as may be required to defray Town charges for the fiscal period July 1, 1996 to June 30, 1997; or act in relation thereto.

Town Manager

Article 3. To see if the Town will vote to transfer a certain sum of money from Conservation fees under Wetlands Special Reserve Fund to reduce the Conservation Commission Budget Fiscal Year 1997; or act in relation thereto.

Town Manager
Conservation Commission

Article 4. To see if the Town will vote to transfer a certain sum of money from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1996 Budget; or act in relation thereto.

Town Manager
Sewer Commission

Article 5. To see if the Town will vote to transfer a certain sum of money from Sewer Rate Relief Funds, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1996 Budget; or act in relation thereto.

Town Manager
Sewer Commission

Article 6. To see if the Town will vote to appropriate a certain sum of money for the following capital projects:

Department	Project	Expenditure
Fire	Pumping Engine	230,000
	Staff Vehicle	21,000
Police	Cruiser Replacement	100,000
	Dog Officer Vehicle	15,000
DPW	Drainage	75,000
	One (1) One-Ton Truck	30,000
	Truck for Highway Division Foreman	24,000
	Parks Improvement	25,000
DPW/School	Sidewalk Design and Construction	250,000
Recreation/School	Multi-Purpose Facility	100,000
Schools		
High School	Upgrade Heating and A/C Systems	36,000
	Replace Microscopes ($125 @ 1,238)	31,000
	Cafeteria Tables	31,000
McCarthy School	Roof Work - Gymnasium Apron	25,000
	Road Repaving	20,000
	Lecture Hall Seats	10,000
All Buildings	Clock System	60,000
Technology	Network School System	100,000
	Workstations	102,000
	TOTAL	1,285,000

and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, and/or borrow a certain sum of money to fund these obligations; or act in relation thereto.

Board of Selectmen
Town Manger
Capital Planning Committee

Article 7. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6; or act in relation thereto.

Town Manager
Finance Committee

Article 8. To see if the Town will vote to transfer a certain sum of money from the sale of the Graves and Lots to the Cemetery Improvement and Development Fund; or act in relation thereto.

Cemetery Commission

Article 9. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, a certain sum of money to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford; or act in relation thereto.

Town Manager

Article 10. To see if the Town will vote to raise and appropriate or transfer from available funds, a certain sum of money for the purpose of funding the sand lease approved by the Town under Article 12 of the 1989 Annual Town Meeting; or act in relation thereto.

Town Manager

Article 11. To see if the Town will vote to raise and appropriate or transfer and appropriate a certain sum of money to the Stabilization Fund; or act in relation thereto.

Town Manager

Article 12. To see if the Town will vote to raise and appropriate a certain sum of money to establish and fund a Community Action Program to be administered by a committee of citizens established and appointed by the Town Manager. The purpose of this program shall be to provide matching funds to community improvement projects by individuals and/or organizations within the Town of Chelmsford; or act in relation thereto.

Town Manager

Article 13. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money for the purpose of providing Senior Citizen Real Estate Tax Payment Vouchers for services rendered, pursuant to an agreement formulated by the Council on Aging and approved by the Town Manager; or act in relation thereto.

Town Manager
Council on Aging

Article 14. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to meet bills from previous years; or act in relation thereto.

Town Manager

Article 15. To see if the Town will vote to appropriate the sum of $49,000,000.00 as the local share of the cost for designing and constructing sewers, pump stations, and force mains to complete the Town's Sewering Project by providing sewers to the remainder of the Town, including related legal, administrative, and other pertinent expenses and the acquisition by purchase, eminent domain, or otherwise of all necessary easements and rights in land; that to meet this appropriation, the Treasurer with the approval of the Selectmen, is authorized to borrow $49,000,000.00 under Massachusetts General Laws, Chapter 44, Section 8(15); that the Sewer Commission is authorized to contract for an expend any federal, state or other aid available for the project, and is further authorized to execute all contracts deemed necessary and appropriate to complete the Town Sewering Project as set forth above; that betterments shall be assessed based on sewer construction in accordance with the applicable provisions of the Massachusetts General Laws; and that the Sewer Commission is authorized to take any other action necessary to carry out this project; or act in relation thereto.

Sewer Commission

Article 16. To see if the Town will vote to authorize the design, construction, and original equipping of a new library facility to be constructed as an addition to the existing Adams Library and appurtenant Town owned properties, and further to authorize the Board of Library Trustees, Board of Selectmen, and/or Town Manager to apply for any State and/or Federal funds which might be available to defray all or part of the cost of the design, construction and original equipping of the addition to the Adams Library and to authorize the Board of Library Trustees to accept and expend any such funds when received without further appropriation under the supervision of the Town Manager; or act in relation thereto.

Board of Library Trustees

Article 17. To see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple with the trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on Exhibits showing sidewalk maintenance and construction easements, Dalton Road and Steadman Street, Chelmsford, MA prepared for the Town of Chelmsford, April 1996, by Town of Chelmsford, Engineering Division, said Exhibits to be presented at Town Meeting, for the purpose of constructing and maintaining sidewalks and all other appurtenances thereto; and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

Article 18. To see if the Town will vote to accept the provisions of General Laws Chapter 60, Section 3C, authorizing the establishment of the Chelmsford Arts and Technology Fund, and to amend the General By-Laws by adding a new Section 13 to Article VII, to read as follows:

Section 13: Chelmsford Arts and Technology Fund

A. PURPOSE

The Town of Chelmsford Arts and Technology Education Fund is established in accordance with the provisions of Massachusetts General Laws. Chapter 60, Section 3C, as amended by the Acts of 1993 to provide supplemental educational funding for local educational needs.

B. DEFINITIONS

1. *Local educational needs* will be defined as the needs of those schools and students that are under the jurisdiction of the Local Educational Agency (LEA) which is the Chelmsford Public Schools.

2. *Supplemental educational funding* shall be defined as that which adds to, enhances, or continues the educational opportunities provided by the Local Educational Agency and funded by the Town of Chelmsford. Supplemental funding will not take the place of funds requested in the Chelmsford School Committee's annual budget request which support the essential curriculum and programs of the Chelmsford Public Schools or be used to create new, ongoing programs that may be expected to continue and financially supported by the Chelmsford Public School's annual budget.

3. The Chelmsford Arts and Technology Education Fund will include the subject areas concerning the liberal and fine arts and technology. Applications will be made for funding of programs, events, supplies, and/or equipment.

4. The Chelmsford Arts and Technology Education Fund will be known hereafter and referred to as the Chelmsford ATEF.

C. THE CHELMSFORD ATEF COMMITTEE

1. There will be established a Chelmsford ATEF Committee to administer the Chelmsford ATEF and to authorize the expenditure of its funds.

2. Members of the Chelmsford ATEF Committee will include the Superintendent of Schools or his/her designee thereof, six residents of the Town of Chelmsford that will include at least three parents who presently have children in the Chelmsford Public Schools, a member of the business community, a senior citizen, and a member-at-large.

3. Appointment to three year terms will be made in accordance with the statute. Upon initial formation of the ATEF Committee, terms of members will be arranged so that the terms of as nearly an equal number of members as is possible shall expire each year.

D. MEETINGS

1. The Chelmsford ATEF Committee shall meet at least quarterly and as many times as deemed necessary and appropriate for the conduct of ATEF Committee business.

2. Attendance at meetings of the Chelmsford ATEF Committee is strongly encouraged. Absence from 50% of more of its meetings in a given year will result in the dismissal of said appointment and there will be a new appointment for the remainder of the term.

3. A quorum for purposes of transacting business shall consist of five members. Decisions will be based upon a vote of the majority of the members present.

4. A secretary will be elected by the ATEF Committee to keep records.

5. The Town Treasurer shall provide the ATEF Committee with quarterly financial reports on the status of the Chelmsford ATEF.

E. PROCEDURES

1. Written proposals presented in the format specified by the Committee requesting funding from the Chelmsford ATEF shall be submitted to the ATEF Committee at least two weeks prior to a posted meeting.

2. Application for such funds may be made by a School Council (as established under M.G.L. Chapter 71, Section 59C) and by members of the professional teaching staff employed by the Chelmsford Public Schools.

3. The funds will be dispersed through the Town Treasurer after the application, presentation, and decision process have been completed. All requests for supplemental funding must support the mission and beliefs of the Chelmsford Public Schools and be in accordance with Chelmsford School Committee policy.

or act in relation thereto.

Board of Selectmen

Article 19. To see if the Town will vote to amend the Zoning By-Law, Town of Chelmsford, Section 4700, Residential Cluster Development, by deleting the existing name of "Residential Cluster Development" or the abbreviation to "RCD" and substituting the following new name "Planned Open Space Residential Development" or the abbreviation "POS" wherever applicable in sections 2300, 4700, 4710, 4711, 4712, 4713, 4714, 4720, 4730, 4740, 4760, 4770, and 4780 of the Zoning By-Laws, or act in relation thereto.

Planning Board

Article 20. To see if the Town will vote to amend the Zoning By-Law, Town of Chelmsford, Article V. Definitions, by substituting the term "net floor area" for the terms "gross floor area" wherever it now appears in the By-Law, and by adding the following definition of "net floor area":

> Net floor area: The aggregate horizontal area in square feet of all floors of a building or several buildings on the same lot, measured from the exterior faces of the walls enclosing each building; and exclusive of the cellars and attic area used only for storage, bathrooms, stairwells, elevators, mechanical rooms, or areas for service incidental to the operation or maintenance of the building.

; or act in relation thereto.

Planning Board

Article 21. To see if the Town will vote to amend Article 3, Section 3120 (f) of the Chelmsford Zoning By-Law in order to change the number of parking spaces required for restaurants , lounges, and function rooms, by deleting the phrase, "One (1) space per three (3) seats based on the legal seating capacity of the facility" and substituting therefore the following phrase:

> One (1) space per employee and one (1) space per two and one-half (2.5) seats based on the maximum-rated legal seating capacity of the facility.

; or act in relation thereto.

Planning Board

Article 22. To see if the Town will vote to amend Article 3, Section 3120(d), of the Chelmsford Zoning By-Law in order to change the ratio of parking spaces required for businesses and professional offices, office buildings, and office of a wholesale establishment including sales space, by substituting the term "net floor area" for the term "gross floor area"; or act in relation thereto. (Please note that this amendment is unnecessary if Article 17 passes).

Planning Board

Article 23. To see if the Town will vote to amend Article 3, Section 3120(f) of the Chelmsford Zoning By-Law in order to change the ratio of parking spaces required for restaurants, lounges and function rooms, by deleting the Section 3120(f) in its entirety and substituting therefore the following new Section 3120(f):

> Section 3120(f). Restaurants, lounges, and function rooms. One (1) space per employee on the largest shift and one (1) space per two and one-half (2.5) seats, based upon the maximum-rated, legal seating capacity of the facility.

; or act in relation thereto.

Planning Board

Article 24. To see if the Town will vote to amend Article 3, Section 3140 of the Chelmsford Zoning By-Law in order to establish location and minimum size requirements for off-street loading areas, by 1) adding a new subsection 3147 to read as follows:

> 3147. Location and Off-Street loading bay required under Section 3130 shall be no less that twelve (12) feet in width, forty (40) feet in length, and fourteen (14) feet in height, exclusive of driveway and maneuvering space.

And;

2) adding a new subsection 3148 to read as follows:

> 3148. Required Off-Street loading bays and their associated maneuvering space shall be located entirely on the same lot as the building being served.

; or act in relation thereto.

Planning Board

Article 25. To see if the Town will vote to amend the Chelmsford Zoning By-Law, Article V, Definitions, by deleting the existing definition of "Lot, frontage of": and substituting, therefore, the following new definition:

> Lot, frontage of: A lot line coinciding with the sideline of a street which provides both legal rights of vehicular access and physical, vehicular access to the lot, said line to be measured continuously along a single street or along two (2) intersecting streets if their angle of intersection is greater than one hundred and twenty (120) degrees. Vehicular access to a building site on the lot shall be exclusively through the frontage of the lot.

; or act in relation thereto.

Planning Board

Article 26. To see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple with the trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on Exhibit A showing drainage easement on land of Charles G. Mackey at 157 Middlesex Street, North Chelmsford, Massachusetts, dated March, 1996. Said Exhibit to be presented at Town Meeting, for the purpose of constructing and maintaining a drainage system and all other appurtenances thereto; and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, transfer and appropriate from revenue sharing funds, and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

Article 27. To see if the Town will vote to amend the Chelmsford Home Rule Charter under Part III, Section 3-2(c), Board of Selectmen Appointment Powers such that the Board of Selectmen shall have the power to appoint Policy Advisory Committees to assist their decision making process; or to act in relation thereto.

Board of Selectmen

Article 28. To see if the Town will vote to amend Article VI, Section 20 of the General By-Laws by adding Paragraph 10, to read as follows:

> A civilian unit be established within the Police Department to patrol the handicap parking spaces within the Town. This unit will have the authority to issue citations for handicap parking violations. Any moneys generated by this unit will be designated for handicap access projects in the Town of Chelmsford.

; or to act in relation thereto.

Petition

Article 29. To see if the Town will vote to amend Article II, Section 4.14 of the General By-Laws by adding Paragraph (h) to read as follows:

> The subject matter of a Town Meeting Article may not be brought before future Town Meeting for three years, except where governed by state law.

; or to act in relation thereto.

Petition

Article 30. To see if the Town will vote to amend Article II, Section 4.14, Paragraph (g) of the General By-Laws, by deleting the existing Paragraph (g) which reads "The Moderator will allow a question-and-answer prior of the sponsor of an article to gather factual information or understanding of the article. Debate of the article is not allowed during this period." and substituting , therefore, the following new Paragraph (g):

> The Town Moderator will allow a thirty (30) minute question and answer period of the sponsor of an article to gather factual information or understanding of the article. Debate of the article is not allowed during this time. The Town Moderator will keep track of the time remaining.

; or to act in relation thereto.

Petition

Article 31. To see if the Town will vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Clerk:

Lori Lane
Marguerite Road
Dobson Road
Deana Lane
McCormick Lane
Alcorn Road
Courthouse Lane
Kristin Drive Extension
Grady Drive
Old Farm Way
Somerset Place
Moore Street (0+0 to 16+82)
Brittany Lane
Moccasin Lane
Fairmount Street

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and to see if the Town will vote to raise and appropriate, transfer and appropriate from the Stabilization Fund, and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and to see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto; or act in relation thereto.

Board of Selectmen

Article 32. To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that the "Paper Road" known as Canal Street, North Chelmsford, as hereinafter described shall be discontinued and all public rights in any and all portions of said streets, and/or town ways relative to said street shall be henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Canal Street on a plan entitled "Proposed Discontinuous Parcel 'A', Town Meeting, 1996", prepared by the Town Engineer's Office, Town of Chelmsford, copies of such are on file in the Town Engineer's Office. And to see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all rights, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road, to the abutters of said property; or act in relation thereto.

Petition

Article 33. To see if the Town will vote to amend Article 2 of the 1995 Spring Town Meeting by transferring $63,000 from Line Item 1, General Government Personnel Services, to Line Item 2, General Government Expenses; or act in relation thereto.

Town Manager

Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

Given under our hands this 11th day of March, 1996.

BOARD OF SELECTMEN OF THE TOWN OF CHELMSFORD

Robert P. Joyce, Chairman

Peter V. Lawlor, Vice Chairman

William F. Dalton, Clerk

Susan J. Gates

Thomas J. Welch

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
SPECIAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Town Meeting of April 29, 1996:

Thursday, May 2, 1996 at 7:30 p.m.

Monday, May 6, 1996 at 7:30 p.m.

Thursday, May 9, 1996 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meetings are concluded.

Pursuant to General By-Laws Article II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. 15- March, 1996

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Building Gymnasium, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Building Gymnasium, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

A True Copy Attest,

William E. Spence,
Constable

TOWN ELECTION APRIL 2, 1996

*Candidate for Re–election

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
MODERATOR 3 Year Term (1)										
Blanks	124	72	183	117	192	134	251	142	170	1385
Dennis E. McHugh*	488	245	631	455	623	581	781	543	470	4817
Write–In	5	1	1	2	3	4	6	2	5	29
Misc	0	2	1	2	2	1	1	1	0	10
TOTAL	617	320	816	576	820	720	1039	688	645	6241
SELECTMAN 3 Year Terms (1)										
Blanks	58	31	88	64	140	63	128	68	95	735
Christopher J. Driscoll	180	129	274	195	224	232	223	141	156	1754
Stuart G. Weisfeldt	374	160	451	313	454	425	684	477	390	3728
Write–In	5	0	2	1	2	0	4	1	3	18
Misc	0	0	1	3	0	0	0	1	1	6
TOTAL	617	320	816	576	820	720	1039	688	645	6241
SCHOOL COMMITTEE 3 Year Terms (2)										
Blanks	240	171	385	245	330	296	412	278	271	2628
Judith B. Mallette*	359	163	428	306	506	421	645	423	349	3600
Brian P. Latina	300	167	423	322	403	347	447	312	338	3059
Mary E. Frantz*	330	137	390	275	400	374	573	361	330	3170
Write–In	5	1	2	2	0	2	1	1	2	16
Misc	0	1	4	2	1	0	0	1	0	9
TOTAL	1234	640	1632	1152	1640	1440	2078	1376	1290	12482
LIBRARY TRUSTEE 3 Year Terms (3)										
Blanks	769	445	1087	754	1138	957	1340	925	905	8320
Kathryn M. Fisher	327	167	446	297	395	378	528	344	320	3202
Elizabeth A. McCarthy*	428	194	495	374	519	457	678	439	395	3979
Margaret E. Marshall	318	154	415	299	407	366	568	354	310	3191
Write–In	8	0	1	0	0	1	3	1	5	19
Misc	1	0	4	4	1	1	0	1	0	12
TOTAL	1851	960	2448	1728	2460	2160	3117	2064	1935	18723
BOARD OF HEALTH 3 Year Term (1)										
Blanks	155	93	237	168	251	202	296	201	215	1818
Peter Dulchinos*	456	225	576	406	568	515	740	484	428	4398
Write–In	6	0	0	1	0	2	3	1	2	15
Misc	0	2	3	1	1	1	0	2	0	10
TOTAL	617	320	816	576	820	720	1039	688	645	6241
PLANNING BOARD 3 Year Terms (2)										
Blanks	276	173	476	276	418	362	532	348	304	3165
Phyllis M. Elias	283	88	284	237	331	280	422	277	270	2472
Robert C. Morse	303	144	303	268	373	316	456	286	397	2846
Kevin J. Mahoney	134	86	190	154	264	171	197	149	140	1485
Eugene E. Gilet*	234	149	375	216	253	311	470	315	177	2500
Write–In	4	0	1	0	0	0	1	1	2	9
Misc	0	0	3	1	1	0	0	0	0	5
TOTAL	1234	640	1632	1152	1640	1440	2078	1376	1290	12482

TOWN ELECTION APRIL 2, 1996

*Candidate for Re–election

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SEWER COMMISSION 3 Year Terms (2)										
Blanks	412	215	503	372	562	487	688	437	482	4158
Thomas E. Moran*	397	203	573	385	537	467	688	460	404	4114
Richard J. Day*	418	222	550	393	538	481	699	474	398	4173
Write–In	6	0	3	1	0	3	3	2	6	24
Misc	1	0	3	1	3	2	0	3	0	13
TOTAL	1234	640	1632	1152	1640	1440	2078	1376	1290	12482
HOUSING AUTHORITY 5 Year Term (1)										
Blanks	198	77	243	173	266	223	364	211	234	1989
William P. Keohane*	416	240	571	398	552	493	673	476	409	4228
Write–in	3	2	1	3	1	3	2	0	2	17
Misc	0	1	1	2	1	1	0	1	0	7
TOTAL	617	320	816	576	820	720	1039	688	645	6241
CEMETERY COMMISSION 3 Year Term (1)										
Blanks	195	65	186	148	260	198	322	191	223	1788
James F. Dolan*	420	254	630	426	559	520	716	496	421	4442
Write–In	2	1	0	0	0	2	1	0	1	7
Misc	0	0	0	2	1	0	0	1	0	4
TOTAL	617	320	816	576	820	720	1039	688	645	6241
QUESTION 1										
Blanks	94	57	112	79	129	99	160	123	113	966
Yes	437	214	584	409	581	515	756	486	448	4430
No	86	49	120	88	110	106	123	79	84	845
TOTAL	617	320	816	576	820	720	1039	688	645	6241
QUESTION 2										
Blanks	48	30	62	53	81	63	75	67	63	542
Yes	434	222	640	401	614	524	848	510	452	4645
No	135	68	114	122	125	133	116	111	130	1054
TOTAL	617	320	816	576	820	720	1039	688	645	6241
QUESTION 3										
Blanks	45	30	35	54	43	48	35	34	34	358
Yes	432	207	653	376	635	489	881	548	449	4670
No	140	83	128	146	142	183	123	106	162	1213
TOTAL	617	320	816	576	820	720	1039	688	645	6241

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 1

Blanks	1469
Robert P. Joyce*	305
Sandra A. Kilburn*	345
Cynthia J. Kaplan*	345
Anthony V. Volpe	251
Elizabeth A. McCarthy*	359
Marian D. Currier*	324
Barry B. Balan	295
Write–In	9
Misc	0
TOTAL	3702

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 2

Blanks	843
Patrick Mike Curran*	199
Bernard V. Clark*	206
George L. Merrill*	198
Bruce J. Harper, Sr.*	206
Francis G. Miskell*	215
James Doukszewicz (Write–in)	21
John Bates (Write–In)	18
Write–In	13
Misc	1
TOTAL	1920

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 3

Blanks	1855
Adrienne M. Jerome*	393
D. Lorraine Lambert*	500
Jaclyn D. Matzkin	315
George F. Abely*	385
Susan M. Olsen*	479
Jason P. Hanscom	228
Roy J. Perry*	262
Michael F. Curran*	464
Write–In	8
Misc	7
TOTAL	4896

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 4

Blanks	1051
Matthew P. St.Hilaire	300
Elena D. Bowman	164
Thomas E. Firth, Jr. *	304
Lynn M. Marcella*	270
Roger C. Sumner	201
John G. Coppinger*	284
Brian P. Latina	287
Henrick R. Johnson, Jr.*	292
Kathleen M. Redican*	298
Write–In	2
Misc	3
TOTAL	3456

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 5

Blanks	1754
Dennis T. Bak	302
Cheryl M. Perkins	342
Stephen J. Mallette*	416
Wendy C. Marcks*	441
Bonnie G. Wilder*	398
Kathleen Curran	475
John W. Wilder*	360
Barbara H. Ward*	427
Write–ins	2
Misc	3
TOTAL	4920

REPRESENTATIVE TOWN MEETING MEMBERS (1) 2 Year Unexp Term

Prec 5

Blanks	318
Jennifer Renna Ferreira	502
Write–ins	0
Misc	0
TOTAL	820

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 6

Blanks	1598
Peter V. Lawlor*	500
Howard J. Hall*	358
Ralph M. Nebalski*	360
Mary E. Frantz*	417
Charles F. Smith	320
Cheryl M. Warshafsky*	357
Christopher J. Driscoll*	388
Write–ins	18
Misc	4
TOTAL	4320

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 7

Blanks	2202
Judith Hass*	577
Mark P. Luchini	362
Dennis J. Ready*	684
Bernard A. Ready*	517
Bradford O. Emerson*	580
Francis J. Miethe*	443
Kathleen S. Fitzpatrick*	545
Andrew M. Shuhany	321
Write–In	1
Misc	2
TOTAL	6234

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 8

Blanks	2080
Walter A. Cleven*	417
Ralph J. Hulslander, Jr.*	367
Marie M. Fitzgerald*	372
Stuart G. Weisfeldt*	445
Richard J. Day*	383
John F. Sheehy (Write–In)	30
Angelo Taranto (Write–In)	10
Write–In	15
Misc	9

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms

Prec 9

Blanks	1745
John S. Fudge, Jr.*	360
John G. Harrington*	376
Francis X. Harrison, Sr.	325
Barry K. Hamill	363
Anne Lise Sexton*	328
Charles A. Piper*	354
Write–In	11
Misc	8
TOTAL	3870

BERNARD F. LYNCH
TOWN MANAGER

TEL: 508-250-5201
FAX: 508-250-5252

OFFICE OF THE TOWN MANAGER
TOWN OFFICES
50 BILLERICA ROAD
CHELMSFORD, MA 01824-2777

Memorandum

TO: Dennis McHugh, Town Moderator
Town Meeting Representatives
FROM: Bernard Lynch, Town Manager
DATE: April 26, 1996
SUBJ: **Report on Spring 1995 Town Meeting Articles**

On May 8, 1995 the Chelmsford Town Meeting passed Article 16 of the Annual Town Meeting warrant. This article requires the Town Manager to give a report to Town Meeting on the outcome or status of each article passed by Town Meeting at an Annual or Special meeting held ten or more months prior.

In accordance with the intent of this article I submit the following report.

Spring 1995 Annual Town Meeting

Article 8-Sale of Police Cruisers
This article authorized the sale of surplus police cruisers with revenue of said sale to be used for the purchase of communications equipment for the Police Department. To date an auction has not been scheduled pending the purchase of new cruisers.

Article 10-Mallory Street Paving
This article appropriated $40,000 for the paving of Mallory Street which is an un-accepted public way with the expectation that the residents of the street would repay 75% through betterment charges. This project is not yet completed pending the resolution of issues of legal procedure.

Article 11-Street Acceptances
The following streets were accepted by Town Meeting:

1. Boyds Lane
2. Carter Drive
3. Adirondack Road
4. Omni Way
5. Peders Place

At this point, Omni Way has not been fully completed and awaits final acceptance by the Selectmen.

Article 13-Library Grant

This article authorized the Town to apply for a state grant to enlarge the Adams Library thereby making the building ADA compliant while also increasing space and parking. The grant was unsuccessful and the voters a Proposition 2 1/2 exemption question voted to not fund the project outside the limits of Prop. 2 1/2. The l Town Meeting will consider the question of a new grant proposal for a smaller library project which has been developed.

Article 15-Harbor Master

This article authorizes the Town Manager to appoint a Harbor Master for the patrol of the Merrimack River. The Police Chief has been designated as Harbor Master with patrol conducted by the Police Department's Community Response Unit. The effort is conducted with Tyngsborough and Lowell on Thursday through Sunday during the Summer months. To date the patrol has enforced boating regulations on the river and established a proactive presence. Current efforts underway include development of a fee schedule for state Public Access Board approval and the placement of second hand floats at the boat ramp to improve emergen and non-emergency access.

Article 16-Report from Town Manager on Approved Articles

This article requires the Town Manager to give a report to Town Meeting on the outcome or status of each article passed by Town Meeting at an Annual or Special meeting held ten or more months prior. This report i given herein for the first time.

Article 17-Charter Change regarding the Filling of Town Meeting Vacancies

This article requires that write-in candidates for Town Meeting Representative must receive at least ten votes order to be considered for the filling of vacancies which occur during the term of office. This charter questic was placed on the ballot in the April 2, 1996 election and passed.

Article 18- Wetlands By-law

This article simply rewrote the then existing local wetlands by-law. There have been no effects by this action other than better understanding by applicants and abutters.

Article 19-Drainage Easement Release

This article release a portion of a Town drainage easement which was not needed and interfered with the residents ability to obtain clear title as it was built upon. The easement was released by the Board of Selectm

Article 20- Senior Tax Rebate Program

This article appropriates funds on an annual basis to provide tax rebates to senior citizens who provide volur services to the Town. While this is a budget article I have chosen to report on its success since its inception i 1992. To date 119 seniors have participated and served in 11 municipal departments including Recreation, Library, Building Dept., DPW, School and Veterans Office. The Town received an award from the Massachusetts Municipal Association for this program and served as a model for similar efforts in over thirty other communities in Massachusetts as well as interest in New Hampshire, New York, Connecticut, New Jer California and Hawaii. Recently, the program was the focus of a documentary report on the CNBC network

Article 23-Restricted Vendor By-law

This article amends the Town's by-laws to empower the Board of Selectmen to restrict the rights of street vendors in certain areas during public celebrations. This by-law was approved for implementation in the Summer of 1995 after the 4th of July parade. Its first use occurred at the Holiday Prelude ceremony in December of 1995 with success.

Spring 1995 Special Town Meeting

Article 1-Sale of Main Street Fire House Property

This article authorizes the sale of the old Fire Station property on Main Street. The building on this property is currently being utilized as storage for the Parks Division of the DPW as well as the Town Celebrations Committee. The sale has been placed on hold until alternative storage arrangements are made available.

Article 3-Sale of DPW Equipment/Purchase of Catch Basin Cleaner

This article authorized the sale of a DPW paving machine and an automobile with the proceeds to be put toward the purchase of a catch basin cleaner to be retrofitted to a DPW truck. The sale occurred in the Fall of 1995 with the cleaner purchased, installed and put to use.

Article 4-Old Westford Road Sidewalk Easements

This article authorized the taking of easements for the construction of sidewalks on Old Westford Road up to Pilgrim Road. The takings were made and sidewalks constructed in the Summer/Fall of 1995. Final pavement will be laid in 1996.

Article 9- Licensing of Fortune Tellers By-law

This article amends the Town's By-laws to require the licensure of fortune tellers and a 12 month minimum residency prior to the grant of such license in order to regulate this trade and prevent potential fraud. To date there no licenses have been issued. The one pre-existing business closed and left the Town.

Article 10-Second Hand Precious Metal By-law

This article was passed by Town Meeting to regulate the vendors of Second Hand precious metals (i.e. jewelry). The By-law was rejected by the Attorney General upon review.

Article 11- Roberts Field Playground Equipment

This article transferred $14,355 from the sale of Town owned land funds to the volunteer driven Friendship Park project. This project, with a total cost of over $70,000, was completed in September of 1995.

Article 12-Acquisition of Apple (Chelmsford) Country Club Property

This article authorized the purchase, through eminent domain, of the Apple Country Club for operation as a municipal golf course. The purchase occurred in August 1995 with a final cost of $1,030,000. The Town has been sued for land damages in this taking and is awaiting trial. The golf course has been renamed Chelmsford Country Club and is being operated by Sterling Golf Management Co. with the Town receiving 12% of revenues with a minimum of $50,000. Another 8% of revenue is being put towards capital improvements of the property. In addition the restarant/function hall part of the clubhouse is being leased by Sterling Golf for $16,800 per year plus $4,400 for capital improvements for a three year term.

Annual Town Meeting
April 29, 1996

The Annual Town Meeting was called to order at the Senior Center by the Moderator, Dennis E. McHugh at 7:35 PM, who recognized the presence of a quorum. There were 155 Town Meeting Representatives present. He went over the various procedures and pointed out the fire exits.

The Moderator then asked for a moment of silence in honor of two individuals who have passed away since the October meeting. Carl A. Olsson , who died on November 5, 1995. He had served for twelve years on the School Committee from 1983-1995, been a member of the Board of Registrars and Personnel Board. Margaret Johnson, Town Meeting Representative from precinct 6, who died on March 13, of this year. She had attended Town Meeting for many years prior to it becoming representative style in 1989, then as a Town Meeting Representative.

Selectman Peter V. Lawlor moved that the reading of the Constable's return of service and the posting of the warrant be waived. Motion carried, unanimously, by a show of hands. Selectman Lawlor moved to waive the reading of the warrant. The Moderator asked for a show of hands, motion carried, unanimously.

The Moderator then asked for permission to allow non-residents Bernie DiNatale, and Karen Mazza, from the School Department to address the Body if need be concerning any budget or article questions. Motion carried, unanimously, by a show of hands.

Under Article 1.. Selectman Peter Lawlor moved to hear reports of the Town Officers and Committees.

The Town Manager Bernard F. Lynch explained that an article was passed last year which requires the Manager to report on any non zoning or budget articles that were passed the previous year. The actual report is on file with the original Town Meeting minutes in the Town Clerk's Office. He spoke about the following articles from the April 1995 Annual Town Meeting:
Articles 8,10,11,13,15,16,17,18,19,20 and 23. From the Special Town Meeting of May 4th. Articles 1,3,4,9,10,11 and 12.

The Town Manager then addressed the Town Meeting Body giving the Financial Condition of the Town for FY 1996. He went over the Town Accountant's quarterly report. So far the Town has received 75% of the estimated revenues. He gave a status report of expenditures for the various Town Departments. He then gave a report of the five year financial plan that he developed along with the Board of Selectmen and other departments. The goal is to allow the Town to maintain services and improve facilities and allow to generate tax relief for the residents while maintaining and improving the financial condition. He touched upon the highlights of the plan. To increase capital investment. Put more money towards sidewalks and parks and road improvements. Continue with the vehicle replacement program. Make building improvements.

And to get the Stabilization Fund to grow at the end of five years to $3.2 million dollars. The goal is to get the Fund to an appropriate level, which is 5% of the operating budget. It has been anticipated that by the year 2001 the operating budget will be close to $60 million dollars, so the Stabilization Fund should be at $3.2 million dollars. He went over the planned facility projects. The Community Center at the Old Town Hall. An addition to the Adams Library and Police Station. It is the intent to implement the Central Square Traffic plan and Community Action programs. All of this is to been accomplished without any increase in taxes, beyond that which is provided for under the law. And most importantly to move ahead with tax reductions with utilizing surplus monies to give back to taxpayers a form of dividends.

He then showed a list of Revenue Assumption. These are projects that will draw from the Stabilization Fund in certain years. In 1999 the Center School project will draw $220,000.00. In 2000, $700,000.00 and in 2001 $450,000.00. All this is to be done while still maintaining a $3.2 million dollar level of Stabilization. This dollar amount is essential for a Town the size of Chelmsford. The current Stabilization balance is $1.8 million dollars. He is proposing to add $550,000.00 to the fund and with the anticipated interest of $108,000.00, the account will have a balance of $2.4 million dollars. Then each year after with the certification of free cash $250,000.00 will be added to the fund.

He then showed a list of Expenditure Assumption. The average personnel cost is to be 2.5% per year, which is the estimated cost of living increase. This amount could fluctuate it is not set. the Health Insurance increase is 4% per year, Expenses are estimated to be 4%, Capital Improvement projects $1.2 million dollars, $3 million dollars for the Library addition to begin in FY 1997 and $2 million dollars for the Police Station addition to begin in 1998. This is a positive plan, revenue estimates are realistic yet conservative and the proposed improvement projects are essential.

The Moderator asked for a vote to accept the Town Manager's report. Motion carried, unanimously.

The Moderator then announced that today was Student Government Day at the High School and that a number of students had participated. For the record he read the names and ask each student to stand.

<u>Selectmen</u>
Scott Johnson
Khara Campbell
Kevin Ready
Mike Costa
Chris Wu

<u>Board of Health</u>
Helena Safran
Margaret Feeney
Vlad Shamritsky

Sewer Commission
Garen Boghosian
Paul Langworthy
Will Woods

Cemetery Superintendent
Kyle Kydd
Katie Dube
Erin Wojtowicz
Stephen Woodbury

Housing Authority Director
Kristen Learson
Holly Driscoll
Colleen Mullen

School Superintendent
Fred Marcks

Ass't Superintendent
Janelle Rockett

School Committee
Kristen Higgins
Jacob Silva
Jen Hardy
Carolyn Bleck

PlanningBoard
Matt Sager
Andy Cline
Tom Peal

State Senator
Allison Govoni

State Representative
Jonathan Quimby

Library Director
Melissa Eisenman
Luke Chao

Town Accountant
Lynne Tanner

Police Chief
Zbigniew Butkiewicz

Ass't Police Chief
Rachel Terrace

Fire Chief
Sean Davis

Ass't Fire Chief
Mike Muise

DPW Director/Engineer
Jason Soo Hoo

Superintendent of Streets
David MacPhail

Building Inspector
Jason Allberg

Wiring Inspector
Peter Cormier

Town Manager
Chris Steiling

Council on Aging Director
Lora McCormack

Town Clerk
Annamarie Hawking

Town Moderator
Patrick Walsh

Finance Director/Treasurer
Joseph Rogers
Dave Dickieson

Chief Assessors
Melissa Bator

Ass't Assessors
Jim Fraser
Deborah Sheehan
Eva Price

Land Use Coordinator
David Walsh

Veteran's Agent
Geno Villare

Recreation Coordinator
Jessica Hill

Town Constable
Jessica Hill

The Town Meeting Representatives gave the students a round of applause. The Town Moderator proceeded onto article 2. In the middle of the discussion of this article, he noted that State Representative Carol Cleven and State Senator Lucile Hicks were present and requested them to come forward and give their reports to the Body. He apologized that this hadn't been done under Article 1.** Representative Cleven spoke about pending bills relating with local aid and tax relief for title 5 and charter school reimbursements. Senator Hicks explained that she was not seeking another term as State Senator and took this opportunity to said good-bye to all her constituents. She expressed how much she enjoyed serving as the State Senator and that she would miss doing so. She went over the pending bills in the Senate.

Under Article 2. The Moderator read the motion which listed the eleven budget categories citing the total amount of Personnel Services and Expenses under each. He then explained that he would again announce each category and their amounts individually and list the various departments that fell under each category. If there were to be any questions or discussion it will be addressed within the category. Under Municipal Administration with a total budget of $1,507,153.00 a question was asked by John O'Connell concerning the Town Manager's budget process and his salary. He wanted to know who decides the total budget for each department and if the Body wanted to increase the Town Manager's salary are they allowed to do so. The Town Manager explained that he is responsible for determining the what the final budget figure will be for each department. His salary is determined by a contract with the Board of Selectmen. Even if the Body were to decide to increase his salary, they could only increase personnel line item in his budget, because he has a contract, he will not receive the increase.

The Moderator read the School Department Category with a total budget of $29,516,635.00, Mary Frantz, Chairman of the School Committee said that the budget increased by $1.3 million

dollars. $860.000.00 of it is the 3.5 % increase by the Town which is in line with what the Educational Reform Law expects the Town to increase. 12% will come from State Aid which is almost a half a million dollars. She noted that the Committee had made significant reduction in expenses which freed up $1.9 million dollars for funding additional programs. The School Committee supports the $29.5 figure and she asked School Committee Member, Angelo Taranto to come forward and explain the new programs. He explained that there are much needed programs and staff and supplies that are being added to the budget. Some of these programs and staff had been cut in the past due to budget constraints and were now being reinstated. He give a complete list of areas effected. Clare Jeannotte questioned what was the Town's Education Reform Act mandated spending level? Mary Frantz explained that Chelmsford is slightly above the required level, but below "foundation budget", the minimal level which is where the State feels at the end of seven years the Town should be at. Clare Jeannotte questioned why the Charter School Budget didn't appear separate like the Nashoba Technical High budget did? The Town Manager explained that the way the State Law statute reads is that the Towns are assessed an amount to the member communities based on enrollment and population at the time. The Charter School is a creation of the Education Reform Act, which allows the State to charter certain schools and the money is based on amount of students enrolled, multiplied by average cost per pupil. The money will then be deducted off the State Aid when the Cherry sheet comes in. At that time if there are adjustments to be made the Body must decide what expenditures will be reduced in order to balance the budget. Clare Jeannotte questioned under which budget would the reduction take place? The Town Manager explained that the intent of the Reform Act was that this would occur under the School area, however that would be up to discussion.

The Moderator noted that he had inadvertently not recognized State Representative Carol Cleven's and State Senator Hicks under Article 1 and asked them to come forward and address the Body at this time. (See ** Under Article 1 for further information regarding this matter)

The Moderator then read the Nashoba Tech High School category with a total budget of $627,117.00. Cheryl Warshafsky questioned why there was 26% increase in the budget if there was only a 18% increase in enrollment? MaryJo Griffin came forth and explained that she had just been newly appointed to the NTHS Committee as a regular member and had just attended one meeting, she asked the Business Manager Ralph Dumais to answer the question. He explained that the vast majority contribution assessment of Chelmsford is the minimal contribution mandated by the State Education Reform Act. Although Chelmsford makes up a little under 26% of total enrollment , Chelmsford's assessment only represents under 25% of total assessment. This is a case that the Education Reform Act is applied fairly. When there is an increase in students to a vocational school the funds are shifted to the regional school, the funds follow the students.

The Moderator read the Public Safety category with a total budget of $6,314,289.00. Cheryl Warshafsky then moved to increase the Fire Department's budget line item 5 by $200,000.00. to fund East and West Fire Stations to be taken from the Stabilization Fund to be used directly for the purpose of manning the East and West Fire Station. She felt that the East and West Fire stations were not opened continuously nor fully manned and expressed her concern for the people in the immediate area. The Moderator explained that this would require a majority vote to

amend the budget figure, then a 2/3's vote would have to be taken at the end of the budget in order to use the money from the Stabilization Fund. The Finance Committee was not in favor of the motion to transfer. The Board of Selectmen were four against and one in favor in transferring the money. The Town Manager was not in favor and expressed his reason. He felt that the occasional closing of these stations were not jeopardizing the public safety, and that there were no indications otherwise. A discussion followed. Ronald Wetmore asked if the Fire Chief could explain just what he needed to keep the stations opened. Fire Chief John Parow explained that currently in the budget there is an additional $40,000.00 which will be used for overtime in order to keep these two stations opened more hours. In order to fully maintain all the stations through out the Town, he would need a budget figure of $280,000.00. Matthew St.Hilaire questioned if the figures reflected were prior to any contract settlements, then how much additional money would be needed once the contract was settled, and where would it come from? The Town Manager explained that these figures are based on the present rates and if and when the contract is settled then most likely additional money will be required over and above the proposed transfer. He explained that the Stabilization Fund can only be used for this purpose once so the additional money will have to be added by a Town Meeting vote. Henrick Johnson moved the question to stop debate. The Chair attempted a show of hands, which left him in doubt, the following tellers were asked to come forward and take an hand count:

Dorothy Frawley, Patricia Plank, Lucy Simonian, John Maleski. The result:
Yes 129 No 6 2/3's is 90, motion carried.

The Moderator asked for a show of hands on the motion to amend, motion defeated.

The Moderator then read the Public Works Budget, Sewer Commission Budget, Cemetery Department Budget and Community Services Budget. Under the Library Budget with a total figure of $910,802.00. John O'Connell questioned who decides what the Library Budget will be. Is it the Elected Library Trustee's or the Town Manager? The Town Manager explained that he has the final decision on what the budget will be. The Moderator continue to read the Undistributed Expenses Budget and the Debt and Interest Budget. He asked for a vote of a show of hands on the total budget of $54,713,999.00, motion carried, unanimously. The article reads as follows:

Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $54,713,999.00 to defray Town charges for the fiscal period July 1, 1996 to June 30, 1997 according to the following line items:

Municipal Administration	
Personnel Services	1,005,883.00
Expenses	501,270.00
Chelmsford School Department	29,516,635.00
Nashoba Technical High School	
Assessment	627,117.00
Public Safety	
Personnel Services	5,744,879.00
Expense	569,410.00
Public Works	
Personnel Services	1, 187,664.00
Expense	3,172,787.00
Offset Receipt	(738,643)00
TOTAL	3,621,808.00
Sewer Commission	
Expense	17,500.00
Cemetery Department	
Personnel Services	180,512.00
Expense	16,375.00
Community Services	
Personnel Services	375,752.00
Expense	147,617.00
Library	
Personnel Services	690,733.00
Expenses	220,069.00
Undistributed Expense	5,291,000.00
Debt and Interest	
Principal	4,368,434.00
Interest	1,819,005.00

Under Article 3. Town Manager Bernard Lynch moved that the Town vote to transfer the sum of $2,000.00 from Conservation fees under Wetlands Special Reserve Fund to reduce the Conservation Commission budget Fiscal Year 1997.

The Town Manager explained that this is from the Wetlands Protection Act account, the money is used to offset the Conservation Budget. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 4. Town Manager Bernard Lynch moved that the Town vote to transfer $1,250,000.00 from Sewer Betterment's, to reduce the exempt portion of debt and interest in the Fiscal Year 1997 budget.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 5. Town Manager Bernard Lynch moved that the Town vote to transfer the sum of $338,628.00 from Sewer Rate Relief Funds, to reduce the exempt portion of debt and interest in the Fiscal Year 1997 budget.

The Finance Committee recommended the article. The Board of Selectmen supported the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 6. Town Manager Bernard Lynch moved that the Town vote to appropriate the sum of $1,285,000.00 for the following capital projects:

Department	Project	Expenditure
Fire	Pumping Engine	230,000.00
	Staff Vehicle	21,000.00
Police	Cruiser Replacement	100,000.00
	Dog Officer Vehicle	15,000.00
DPW	Drainage	75,000.00
	One (1) One-Ton Truck	30,000.00
	Truck for Highway Division Foreman	24,000.00
	Parks Improvement	25,000.00
DPW/School		
	Sidewalk Design and Construction	250,000.00
Recreation/School		
Multi-Purpose Facility		100,000.00
Schools		
High School		

Upgrade Heating and A/C Systems	36,000.00
Replace Microscopes (25 @ $1,238.00)	31,000.00
Cafeteria Tables	31,000.00
McCarthy School	
Roof Work - Gymnasium Apron	25,000.00
Road Repaving	20,000.00
Lecture Hall Seats	10,000.00
All Buildings	
Clock System	60,000.00
Technology	
Network School System	100,000.00
Workstations	102,000.00
TOTAL	1,285,000.00

and to transfer the sum of $1,038.16 from unexpended bond proceeds under article 13 of the 1988 Annual Town Meeting, transfer the sum of $7,079.16 from unexpended bond proceeds under Article 8 of the 1990 Annual Town Meeting, transfer the sum of $18,113.85 from unexpended bond proceeds under Article 16 of the 1992 Annual Town Meeting, transfer $12,184.63 from unexpended bond proceeds under article 28 of the 1993 Annual Town Meeting, transfer $5,719.20 of unexpended bond proceeds under Article 30 of the 1994 Annual Town Meeting, transfer $10,865.00 of the unexpended bond proceeds under Article 3 of the 1995 Town Meeting, and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow $1,230,000.00 under Massachusetts General Laws Chapter 44, Sections 7 and 8 or any other enabling authority.

George Merrill questioned who decides what parks will be improved and how much money is spent to do so. The Town Manager explained that this comes under the jurisdiction of the DPW Director. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 7. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of appropriate the sum of $150,000.00 to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 8. Superintendent John Sousa moved that the Town vote to transfer the sum of $12,500.00 from the sale of the Graves and Lots to the Cemetery Improvement and Development Fund.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 9. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $19,000.00 to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 10. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $20,000.00 for the purpose of funding the sand lease approved by the Town Under Article 12 of the 1989 Annual Town Meeting.

The Town Manager explained that this is a housekeeping article. It is used to pay for the lease of land behind the Highway garage where sand is removed from. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 11. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $500,000.00 to the Stabilization Fund.

The Town Manager explained that this is the money he wanted to put aside in the Stabilization Fund in order to build up this fund to be 5% of the operating budget. This is recommended by the Banking Commission and the Financial Advisory. It doesn't make sense to apply it to the operating budget, it should be saved and used towards future projects. Wendy Marcks wanted to know if this could wait and be done in October at the fall meeting? The Town Manager explained that the commitment should be made now. The money could be transfer if need be to be used at a later date, however the plan is to use it for the projects mentioned. Wendy Marcks felt that perhaps this money could be used if there was a shortfall as the result of the State Aid being less than anticipated. He felt that it was the intention of the School Reform Act that any type of reduction if need be would come from the school budget because the amount of money from State Aid is based on the per student cost. However, the final decision whatever or wherever the reduction need be made will be done by Town Meeting vote. Ed Cady asked where the Charter School is going to get its money from to pay for teachers and budget. The Town Manager explained that this will come from the State, from the monies taken from the reduction in State Aid on the Cherry Sheet. Cheryl Boss said in the past that the Stabilization Fund could not be used for salaries or budget items, and wasn't it better for the Town's bond rating to have the money put aside? The Town Manager explained that the law has changed a few years ago and now the money can be used for these items. And it would be in the Town's benefit to have money in the Stabilization Fund. This is essential to achieve and maintain the

Town's good bond rating The Finance Committee supported the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 12. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $10,000.00 to establish a Community Action Program to be administered by a committee of citizens established and appointed by the Town Manager in order to provide matching funds to community improvement projects by individuals and/or organizations within the Town of Chelmsford.

The Town Manager explained that this is a successful program in operation in Colorado. At different times neighborhood groups, civic groups approach the Town seeking funds to do small projects that will improve the quality of life in the Town. This would give added incentive to these groups. He'd like to try it for two years then possibly increasing it up to $40,.000.00 if need be. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 13. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $12,500.00 to provide Senior Citizen Real Estate Tax Payment Vouchers for services rendered, pursuant to an agreement formulated by the Council on Aging and approved by the Town Manager.

The Town Manager explained that this is the fourth year of this program. It has been extremely successful. There have been thirty communities in Massachusetts and surrounding communities throughout the United States that have copied this program. The Finance Committee recommended the article. The Board of Selectmen enthusiastically recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 14. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $103.38 to meet bills from previous years.

The Town Manager explained that this is a left over bill from Nashua School Bus Company. It was for transferring the High School Band to the Memorial Day Parade. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 15. Chairman of the Sewer Commission, John P. Emerson Jr. moved that the Town vote to raise and appropriate the sum of $49,000,000.00 as the local share of the cost for designing and constructing sewers, pump stations, and force mains to complete the Town's Sewering Project by providing sewers to the remainder of the Town, including related legal, administrative, and other pertinent expenses and the acquisition by purchase, eminent domain, or otherwise of all necessary easements and rights in land; that to meet this appropriation, the Treasurer with the approval of the Selectmen, is authorized to borrow $49,000,000.00 under Massachusetts General Laws, Chapter 44, Section 8(15); that the Sewer Commission is authorized to contract for and expend any federal, state or other aid available for the project, and

is further authorized to execute all contracts deemed necessary and appropriate to complete the Town Sewering Project as set forth above; that betterments shall be assessed based on sewer construction in accordance with the applicable provisions of the Massachusetts General Laws; and that the Sewer Commission is authorized to take any other action necessary to carry out this project.

Chairman of the Sewer Commission John P. Emerson Jr. explained the article. On April 2 of this year, there was a ballot question in which 79.5% of the people who voted, voted in favor of continuing the Sewer project. This Town Meeting vote is the next step necessary for authorization of spending the money for the project. Presently there is activity going on at the State level to allow a zero point interest bill, which would give those betterment payers of $7,500.00 an automatic reduction in their cost of betterment's in the vicinity of about $3,100.00. Also future relief is coming for the sewer project. It will lift the limit on contracts which would allow escalated construction projects and pay back the debt more quickly then done in the past. As of July 1st of this year there will be $10,546,000.00 in retired construction debt, which was the entire amount of the N. Chelmsford project. The results of the April 2nd ballot question indicates to the Sewer Commissioners that they are doing a good job and that the homeowners and taxpayers have set their priority for the community and asked for support of the article.

John O'Connell question the exempt tax funds. He wanted to know if the funding isn't used how does the money get returned to the taxpayer? John Emerson explained that the money is controlled by a State Revolving Fund. When a project goes out for contracted bids the Town borrows only the amount needed to fund the contract, so there is no money to return. A discussion took place. C. Fred Mansfield the Financial Director, verified the bonding process. Paul Gleason asked questions concerning the increased betterment fee costs when this phase is started. John Emerson explained that the price of Sewering has gone up over the years since the project first started. He explained that in order to proceed with this future plan the fee will most likely be increased to $7,500.00. When the project first started the betterment was $1,250.00. At that time there were State grants available that provided 70% of the cost, that the Town took advantage of. The money has since dried up. Now when the work is done on North Road the fee may be about $2,000.00, when the project gets to the Hart Pond area its likely to be $3,000.00. The Commission has been upfront with the higher betterment fees from the very beginning when discussing this future plan. They are continually working towards reducing this cost. The Finance Committee and the Board of Selectmen were in favor of the article. Bradford Emerson moved the question to stop debate. The Moderator asked for a show of hands, motion defeated. George Merrill said that the voters should take a look of what has been accomplished up to this point before proceeding any further. Perhaps a Independent Engineering audit should be hired. It would verify that everything that has been accomplished and is planned for the future is done properly. The present system is not a gravity system, it is pumped with electricity, with the present cost being budgeted at $98,000.00. What will the cost be when the project is completely done? He felt that an area on Dunstable Road wasn't repaved correctly and said that problems occurred. He also wanted the voters to think about twenty years down the road. The Town may be responsible for any additional fees that might occur if the Sewerage Treatment plant in Lowell is in need of repairs due to changes in the Federal Regulations. John Wilder urged the body to support the article. He felt his property value will increase, eventually his twenty year old septic

system will have to be replaced and the ground water is plentiful and of excellent quality, it should be maintained because it may be sellable.

The Moderator asked for a vote by way of a show of hands on the article, which left the Chair in doubt, a 2/3's vote is required. He asked the tellers to come forward and conduct a hand count. At this time John Emerson asked for a roll call vote. He felt that the voters who went to the polls on April 2nd and voted five to one in favor, should see where their Representatives stood on the issue. The Moderator explained that in order to do this, forty Representatives had to be in favor of the motion therefor he asked the tellers to conduct a hand count. The result was 56 Representatives in favor. A roll call vote was conducted. The Moderator explained the process. Town Clerk Mary E. St.Hilaire, read the Representatives names alphabetically in Precinct order, and recorded the vote of each as Yes, No or absent. The Moderator then asked by Precinct order if any Representative wished to record his/her vote or to change their vote if already recorded. Precincts 1 through 3 nothing changed, Under Precinct 4 Matthew St.Hilaire, who was not present in the room when the vote was recorded, changed from absent to Yes. The Moderator then asked if any Representative from Precinct 5 through 9 wished to record his/her vote or to change their vote if already recorded. Hearing none he declared the polling closed, and the votes were tallied. Results Yes 147 No 2 2/3's is 99 the motion carried. (The actual result of the individual Representatives can be viewed in the Town Clerk's Office.)

At this time Janet Dubner moved to adjourn the meeting until Monday May 6th. She explained the purpose of requesting the Monday vs Thursday adjournment. The Finance Committee and the Board of Selectmen were not in favor of adjourning until Monday evening. The Moderator asked for a show of hands on the motion to adjourn, motion defeated. George Ripsom then moved to adjourn the meeting until Thursday May 2nd at 7:30 PM at the Senior Citizen Center on Groton Road. The Moderator asked for a show of hands, motion carried unanimously. The meeting adjourned at 10:50 PM.

_____ _____

Dennis E. McHugh, Moderator Mary E. St.Hilaire, Town Clerk

Spring 1996

TOWN MEETING PREPRESENTATIVES
PRECINCT 1

			Roll Call Art 15	MEETING DATES								
			4/29									
Abate	Joseph P.	181 Littleton Rd #417	Y									
Allison	Richard G.	189 Littleton Rd #48	Y									
Balan	Barry	54 Boston Rd	Y									
Brough	Kathryn	14 High St	Y									
Currier	Marian D.	181 Littleton Rd #404	Y									
Good	James P.	4 Burning Tree Ln.	Y									
Hazel	Michael A.	56 Bridge St	A									
Joyce	Robert P.	103 Turnpike Rd	Y									
Kaplan	Cynthia J.	22 Bartlett St	Y									
Kilburn	Sandra A.	11 Golden Cove Rd	Y									
Lee	Linda M.	12 Chatham Rd	A									
Lewis	Nina S.	1 Boyds Ln	Y									
Martinez	Sandra B.	1 Carter Dr	Y									
McCarthy	Elizabeth A.	48 Bartlett St	Y									
McDougall	Frances T.	11 Dawn Dr	Y									
Rook	Jean B.	41 Westford St	Y									
Spence	William E.	91 Billerica Rd	Y									
Wetmore	Ronald W.	247 Acton Rd	Y									
TOTAL			16Y 2A									

TOWN MEETING REPRESENTATIVES
PRECINCT 2

Art 15 [illegible]

MEETING DATES

			4/29									
Bell	Barry T.	5 Mansur St	Y									
Clark	Bernard V.	11 Sharon Ave	Y									
Conlin	Francis M	14 John St	Y									
Curran	Patrick Mike	54 Sherman St	Y									
Dalton	Linda H.	12 Dartmouth St	Y									
Dalton	William F.	12 Dartmouth St	Y									
Doukszewicz	James R.	917 Wellman Ave	Y									
Foster	Bonnie I.	31 Groton Rd	A									
Foster	Jesse C.	31 Groton Rd	Y									
Greenman	George C.	143 Middlesex St	Y									
Griffin	William P.	132 Tyngsboro Road	A									
Harper, Sr	Bruce J.	9 Harvard St	Y									
Merrill	George L.	108 Dunstable Rd	N									
Miskell	Francis G.	38 Groton Rd	Y									
Norkunas	Stanley W.	58 Church St	A									
O'Shea	James F.	96 Dunstable Rd	Y									
Stallard	Jeffrey W.	77 Tyngsboro Rd	Y									
Welch	Mary Jo	31 Kennedy Dr	Y									
TOTAL			14 Y 1 N 3A									

TOWN MEETING REPRESENTATIVE
PRECINCT 3

			MEETING DATES									
			4/29									
Abely	George F.	87 Swain Rd	Y									
Boermeester	James P.	99 Richardson Rd	Y									
Curran	Michael F.	58 Crooked Spring Rd	A									
Emerson, Jr	John P.	8 Loiselle Ln	Y									
Fisher	Kathryn M.	2 Kelshill Rd	Y									
Garrahan	Christopher T.	4 Maynard Circle	Y									
Hutchinson	Cathy A.	233 Main St	Y									
Jerome	Adrienne M.	118 Crooked Spring Rd	Y									
Knight	Nancy J.	29 Stonehill Rd	Y									
Lambert	D. Lorraine	91 Main St	Y									
Matzkin	Harold I.	E24 Scotty Hollow Dr	Y									
Matzkin	Jaclyn D.	E24 Scotty Hollow Dr	Y									
McEnany	Henry R.	B18 Scotty Hollow Dr	Y									
Merriam	Carol W.	8 Lovett Ln	Y									
Moran	Thomas E.	19 Dennison Rd	Y									
Olsen	Susan M.	140 Groton Rd	Y									
~~Perry~~	~~Roy J.~~	~~8 Dennison Rd~~	A	NOT A REP								
Welch	Thomas J.	56 Crooked Spring Rd	Y									
Wright	Douglas L.	256 Dunstable Rd	Y									
TOTAL			17Y 1A	(16Y) (2A)								

TOWN MEETING REPRESENTATIVES
PRECINCT 4

Art 15 redrawn

			MEETING DATES									
			1/6									
Allen	Linda J.	9 Clancy St	A									
Blomgren	Dolores A.	16 Oak Knoll Rd	Y									
Coppinger	John G.	20 Ansie Rd	Y									
Firth, Jr	Thomas E.	15 Oak Knoll Ave	Y									
Hibbard	John R.	50 Manning Rd	Y									
Johnson, Jr	Henrick R.	53 Stonegate Rd	Y									
Latina	Brian P.	15 Jessie Rd	Y									
Manahan	Helen A.	26 Muriel Rd	Y									
Martin	William D.	25 Empire St	Y									
Morrison	Joan D.	130 Turnpike Rd	Y									
O'Sullivan	Cheryl L.	10 Beaulieu St	Y									
Pacht	Gerald W.	44 Carlisle St	Y									
Redican	Kathleen M.	80 Carlisle St	Y									
Ripsom,Sr.	George A.	33 Porter Rd	Y									
Seidel	Carl W.	25 Ruthellen Rd	Y									
Sousa Jr	John B.	88 Carlisle St	Y									
St.Hilaire	Matthew P.	7 Gail St	~~A~~ Y									
Sullivan,III	Daniel J.	4 Shedd Lane	Y									
TOTAL			17	17								

1 A

TOWN MEETING REPRESENTATIVES
PRECINCT 5

			MEETING DATES									
			Art 15									
Carmeris	Dean	20 Higate Rd	Y									
Curran	Kathleen	5 Kenwood St	Y									
Ferreira	Jennifer Renna	360 Littleton Rd #H–12	Y									
Hall	Robert D.	35 Maple Rd	Y									
Hillman	Kathllen F.	94 Proctor Rd	Y									
Mallette	Stephen J.	13 Wedgewood Dr	Y									
Marcks	Wendy C.	13 Dakota Dr	Y									
McLaughlin	David P.	118 Garrison Rd	Y									
Richards, Jr	Leonard	2 Hart Rd	Y									
Sockol	Michael N.	360 Littleton Rd	Y									
Stevens	Jonathan A.	126 Robin Hill Rd	Y									
Thomas, Jr	W. Allen	374 Littleton Rd	Y									
Thoren	Evelyn S.	18 Pinewood Rd	Y									
Thoren	Glenn R.	18 Pinewood Rd	Y									
Ward	Barbara	15 Pinewood Rd	Y									
Wilder	Bonnie G.	3 Higate Rd	Y									
Wilder	John W.	3 Higate Rd	Y									
Wojtas	Patricia	24 Elm St	Y									
TOTAL			184 0 N 0 A									

TOWN MEETING REPRENTATIVES
PRECINCT 6

Apts

			MEETING DATES									
			4/29									
Burt	Earl C.	38 Woodlawn Ave	Y									
Driscoll	Christopher J.	2 Moonbeam Ave	Y									
Dubner	Janet G.	46 Dalton Rd	Y									
Frantz	Daniel R.	34 Miland Ave	Y									
Frantz	Mary E.	34 Miland Ave	Y									
Gruber	Martin A.	8 Dalton Rd	Y									
Hadley	Steven B.	2 Fern St	Y									
Hall	Howard J.	5 Hillcrest Dr	Y									
Lawlor	Peter V.	50 Dalton Rd	Y									
Lekas	Evangelos T.	50 Dalton Rd	Y									
Marshall	Edward S.	16 Colonial Dr	Y									
Marshall	M. Elizabeth	16 Colonial Dr	Y									
McLachlan	David J.	51 Brentwood Rd	Y									
Moores	Arthur J.	23 Steadman St	A									
Nebalski	Ralph M.	10 Sunset Ave	Y									
Paresky	Marianne J.	10 Smith St	Y									
Parquette	Michael R.	20 Sylvan Ave	Y									
Warshafsky	Cheryl M.	3 Moonbeam Ave	A									
TOTAL			16 Y 2 A									

TOWN MEETING REPRESENTATIVES
PRECINCT 7

Art 15 Recount

			MEETING DATES								
			4/29								
Carpenter	David A.	131 School St	Y								
Doolan, III	Leonard W.	52 Amble Rd	Y								
Dulchinos	Peter	17 Spaulding Rd	Y								
Emerson	Bradford O.	30 Lantern Ln	Y								
Fitzpatrick	Kathleen S.	15 Footpath Rd	Y								
Gates	Susan J.	7 Trotting Rd	Y								
Gleason	Paul F.	30 Pine Hill Rd	Y								
Hass	Judith	27 McIntosh Rd	Y								
Hayward	Dwight M.	59 Amble Rd	Y								
Jeannotte	Clare	3 Hawthorne Ln	Y								
Miethe	Francis J.	10 Thomas Dr	Y								
Morabito	Linda G.	28 Clover Hill Rd	Y								
Ready	Bernard A.	31 Clover Hill Rd	Y								
Ready	Dennis J.	2 Abbott Ln	Y								
Ready	Karen D.	2 Abbott Ln	Y								
Scavezze	Barbara J.	3 Mountain Laurel Dr	Y								
Stark	Carol A.	4 Hostler Rd	Y								
Stubbs	Jonathan C.	121 School St	Y								
TOTAL			18Y								

TOWN MEETING REPRESENTATIVES
PRECINCT 8

Art 15 [illegible]

MEETING DATES

			4/29									
Abbott	John E.	384 North Rd	Y									
Boss	Cheryl Adkins	3 Sycamore St	Y									
Cleven	Walter A.	4 Arbutus Av	Y									
Curry	William C	15 Overlook Dr	Y									
Day	Richard J.	6 Merilda Av	Y									
Fitzgerald	Marie M.	25 Garland Rd	A									
Gervais	Alexander W.	5 Arbutus Ave	Y									
Harbison	Katherine C.	28 Charlemont Court	Y									
Hulslander, Jr	Ralph J.	74 Smith St	Y									
Johnson	Peter G.	85 Locke Rd	A									
Neild	Kathleen A.	5 Lafayette Terrace	Y									
Poulten	Bernice F.	16 Berkeley Dr	A									
Poulten	Gail E.	16 Berkeley Dr	Y									
Poulten	Samuel	16 Berkeley Dr	Y									
Sheehy	Jacqueline A.	9 Gregory Rd	Y									
Sheehy	John F.	9 Gregory Rd	Y									
Villano	Deborah	10 Gregory Rd	Y									
Weisfeldt	Stuart G.	13 Overlook Dr	Y									
TOTAL		15 Y 3 A										

TOWN MEETING REPRESENTATIVES
PRECINCT 9

Art 15 needed

			MEETING DATES									
			4/27									
Abbott	Eleanor D.	8 Ranch Rd	Y									
Barre	Francis J.	3 Sandra Dr	Y									
Cady	Edward A.	10 Crockett Dr	Y									
Christiano	C. Thomas	6 Drew Circle	Y									
Consalvi	Steven Arthur	5 Kristen Dr	Y									
Elias	Donald L.	28 Regina Dr	Y									
Elias	Phyllis M.	28 Regina Dr	Y									
Fudge	Margaret A.	32 Janet Rd	Y									
Fudge, Jr	John S.	32 Janet Rd	Y									
Hamill	Barry K.	55 Clarissa Rd	Y									
Harrington	John G.	149 Boston Rd	Y									
Harrison	Francis X. Sr	15 Marina Rd	N									
Hawking	Robert J	21 Algonquin Rd	Y									
Morse	Robert C.	45 Clarissa Rd	Y									
Peterson	Frank R.	6 Laredo Dr	Y									
Piper	Charles A.	4 Clarissa Rd	Y									
Sexton	Anne Lise	4 Alamo Cir	Y									
Young	James W.	18 Parlee Rd	Y									
TOTAL			17 Y 1 N									

Adjourned Annual Town Meeting
May 2, 1996

The Annual Town Meeting was called to order at the Senior Center by the Moderator, Dennis E. McHugh at 7:40 PM, who recognized the presence of a quorum. There were 157 Town Meeting Representatives present. Selectman Thomas Welch requested a moment to addressed the Town Meeting Body. On May 1st a Bone Marrow Drive was held in his name. As a result, there were 1,158 donors added to the national register. He expressed his thanks to the workers and everyone who participated in the event. The Town Meeting Body responded with a round of applause.

Under Article 16. Library Trustee Chairman Jaclyn D. Matzkin moved that the Town vote to authorize the design, construction, and original equipping of a new library facility to be constructed as an addition to the existing Adams Library and appurtenant Town owned properties, and further to authorize the Board of Library Trustees, Board of Selectmen, and/or Town Manager to apply for any State and/or Federal funds which might be available to defray all or part of the cost of the design, construction and original equipping of the addition to the Adams Library and to authorize the Board of Library Trustees to accept and expend any such funds when received without further appropriation under the supervision of the Town Manager.

The Town Manager Bernard Lynch explained the article. This is the same article that appeared before the Body a year ago. The Library Trustees had applied to the State for a grant, which was denied. In October of 1995, a question was put on a Special Election ballot to over-ride Proposition 2 1/2 , which failed. This article is to keep the Town's option opened. If it passes, it will allow the Library Trustees to petition the State again for funding. If the Town receives the grant, the Library will not be automatically built. The Town Meeting Body must vote to appropriate the money. The Manager explained that this new plan has addressed all the concern's that the voter's had with the previous plan presented in the fall. There will be an additional 100 parking spaces, no flat roof, the Pink house will stay, no increase in staff, taxes will not go up. The money will come from the retired debt. Clare Jeannotte asked how much money will be used from the Stabilization Fund. The Town Manager explained that $220,000.00 will be drawn for the Center School project and the Library addition. There will be $700,000.00 and $450,000.00 drawn for future projects at another time. The Finance Committee is in favor of the article. The Board of Selectmen recommended the article.

A discussion took place. Jeffrey Stallard said that the people voted no against the Library addition. Felt it was still the same. The Manager further explained that the Library is presently not handicapped accessible, and is in violation of the American Disability Act. The Town has been able to waive accessibility pending the addition issue, however time is now running out and it must be dealt with. Regardless if the grant is received, the Town will have to spend at least $500,000.00 to achieve the required accessibility. If this is done the only area where the entrance

must be put will take away 35% of space that the Library cannot afford to loose. He would not be doing his job if he allows the money to be spent without informing the voters of the results. Instead of improving the Library, in reality this will be cutting it back. Janet Dubner and Michael Sockol spoke in favor. Ronald Wetmore spoke against the location. He felt that the people weren't against the total concept it was the location. He suggested that it be built on Town Land by the High School entrance on Richardson Road. Some comments were made saying that the voters should be able to vote on this again. Edward Cady wanted to know how the Internet will effect the Library's future. The Town Manager said that the Library will be on the cutting edge of technology. Dennis Ready spoke in favor. Daniel Frantz said that other long range plans that are not over-ride items are not ballot questions, this shouldn't be one. Karen Ready said that not all researching can be done on the Internet. Books are still needed. More Representatives spoke in favor of the article. Thomas Moran felt that a non-binding referendum question should be put on the next annual Town Election ballot. He moved that the following motion be voted. "Town Meeting request that the Selectman place a non-binding referendum at the next regular annual election following the state grant approval asking the voters if they approve the library project.?" The Finance Committee was against the motion. The majority of the Selectmen were against the motion. David McLachlan spoke against the motion. He felt that this went against the purpose of Representative Style Town Meeting. Jeffrey Stallard asked that the Board of Selectman be polled on their recommendation. Selectmen Gates, Lawlor and Welch were against the motion. Selectmen Dalton and Weisfeldt were in favor. The Town Manager spoke against the motion. He explained that the grant deadline was by March 1st of 1997. If any wording is added, it may be sending a message that the Town isn't behind the project. Michael Sockol moved the question to stop debate. The Moderator asked for a show of hands, which left the Chair in doubt. The following tellers came forward and a hand count was taken. Dorothy Frawley, Patricia Plank, Lucy Simonian, John Maleski. The result was Yes 103 No 42, 2/3's is 97, the motion carried. The Moderator asked for a show of hands on the motion to amend. The motion was defeated.

More discussion took place under the main motion. Ronald Wetmore felt that Representatives must vote the way the people want, not how a Representative feels. John Emerson questioned about dropping the first paragraph, would this be restricting. The Town Manager said yes it would. George Merrill said that this article is saying that the Town is going to build the library. The Town Manager explained that the Town must have plans in place to show that the Town is sincere. We cannot build if there is no money appropriated. More discussion took place regarding the wording. William Griffin moved to amend the article by inserting "To see if the Town will vote to authorize the presentation of the State of Mass existing plans by Tappe' Associates for the design, construction.....equiping of the addition to the Adams Library. (and delete the rest the wording)" The Finance Committee did not recommend the motion to amend. Board of Selectmen unanimously did not recommend the motion. Town Counsel John Georgio, expressed concern about changing the language. He recommended that the language not be changed. This is the language recommended by the State. The Moderator asked for a show of hands on the motion to amend. Motion defeated. Clare Jeannotte said that she felt the voter's were actually against over-riding Proposition 2 1/2 and not against the Library's need to expand. John Coppinger felt that the Representatives should honor the October vote. William Griffin spoke in favor. He said all the issues from October's election have been addressed, and the Town couldn't afford to do this due to possible litigation because of

accessibility. Karen Ready moved the question to stop debate. The Moderator asked for a show of hands, motion carried. He then asked for a vote by way of a show of hands on the article. Motion carried. John Coppinger requested a roll call vote. The Moderator explained the time factor involved and the procedure necessary. He asked the tellers to come forward and conduct a hand count. There were 34 Representatives were in favor of the motion. The by-law states 40 Representatives must be in favor, the motion is denied.

John Wilder expressed a point of order. He felt that the Moderator had discouraged a roll call vote by the way the issue was addressed. He hopes that this would not happen in the future. The Moderator so noted the comment.

Under Article 17. Selectman Peter V. Lawlor, moved that the Town vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple with the trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on Exhibits showing sidewalk maintenance and construction easements, Dalton Road and Steadman Street, Chelmsford, MA prepared for the Town of Chelmsford, April 1996, by Town of Chelmsford, Engineering Division, said Exhibits to be presented at Town Meeting, for the purpose of constructing and maintaining sidewalks and all other appurtenances thereto.

The Town Manager explained the article and the location of the takings. Some money will come from Chapter 90 for the takings along Dalton Road. Steve Hadley question the location along Dalton Road. Why was this being done if there all ready sidewalks along the Street. The Traffic and Safety Committee recommended that even though there is an existing sidewalk on portions of Dalton Road, a new one should be installed and the present one brought up to code. Fran McDougall questioned when a sidewalk will be done on Golden Cove Road. DPW Director and Town Engineer Jim Pearson, said that the need is there, however, other immediate areas must be done first. The Finance Committee and the Board of Selectmen recommended the article. Steven Hadley asked that the article be defeated. Ralph Nebalski said that the neighbors who have school children have been expressing concern about the safety issue of the area for years. He asked the Body to support the article. The Moderator asked for a vote by way of a show of hands, motion carried.

Under Article 18 Selectman Peter Lawlor moved that the reading of the article be waived. Motion carried, unanimously be a show of hands. George Ripsom explained the article. Evelyn Thoren stressed that this is not a tax, it is a voluntary contribution. A slip of paper will be inserted with each and every real-estate and excise bill. The person indicates the amount they wish to contribute. The Treasurer said he would support the process. Michael Sockol wanted to know if a certain amount will be disbursed or just the interest. The Committee will keep a certain amount and invest the rest in high interest accounts. Questions were asked concerning if the Charter School could apply. Town Counsel John Georgio said that they could. The Finance Committee did not recommend the article. The Board of Selectmen recommended the article. The Moderator explained that there is a proposed amendment to correct some typo errors and added wording to the original. The Finance Committee was not in favor of the motion to amend. The Board of Selectmen supported the motion to amend. The Moderator asked for a show of

hands on the motion to amend, motion carried, unanimously. Michael Sockol moved to limit debate to thirty minutes. Motion was defeated. Steven Mallette spoke against the article. He said it would effect any PTA fund raising events that are held throughout the year. Jeffrey Stallard spoke in favor. Bonnie Wilder said this would be a great benefit to the teachers. Brian Latina spoke in favor of the article. Barry Balan said that it's not a hard decision to make. If someone didn't want to make a contribution then they throw the slip out or they can send it back with their contribution, the body should move on to other articles. Karen Ready moved the question to stop debate. Motion carried, unanimously by a show of hands. The Moderator then asked for a vote on the main motion as amended. Motion carried. The article reads as follows:

Selectman Peter V. Lawlor, moved that the Town vote to accept the Provisions of General Laws Chapter 60, Section 3C, authorizing the establishment the Chelmsford Arts and Technology Education Fund, and to amend the General By-Laws by adding a new Section 13 to Article VII, to read as follows:

Section 13: Chelmsford Arts and Technology Education Fund

A. PURPOSE

The Town of Chelmsford Arts and Technology Education Fund is established in accordance with the provisions of Massachusetts General Laws. Chapter 60, Section 3C, as amended by the Acts of 1993 to provide supplemental educational funding for local educational needs.

B. DEFINITIONS

1. *Local educational needs* will be defined as the needs of those schools and students that are under the jurisdiction of the Local Educational Agency (LEA) which is the Chelmsford Public Schools.

2. *Supplemental educational funding* shall be defined as that which adds to, enhances, or continues the educational opportunities provided by the Local Educational Agency and funded by the Town of Chelmsford. Supplemental funding will not take the place of funds requested in the Chelmsford School Committee's annual budget request which support the essential curriculum and programs of the Chelmsford Public Schools or be used to create new, ongoing programs or reinstitute cancelled programs that a future annual budget of the Chelmsford Public Schools might be expected to support.

3. The Chelmsford Arts and Technology Education Fund will include the subject areas concerning the liberal and fine arts and technology. Applications will be made for funding of programs, events, supplies, and/or equipment.

4. The Chelmsford Arts and Technology Education Fund will be known hereafter and referred to as the Chelmsford ATEF.

C. THE CHELMSFORD ATEF COMMITTEE

1. There will be established a Chelmsford ATEF Committee to administer the Chelmsford ATEF and to authorize the expenditure of its funds.

2. Members of the Chelmsford ATEF Committee will include the Superintendent of Schools or his/her designee thereof, six residents of the Town of Chelmsford that will include at least three parents who presently have children in the Chelmsford Public Schools, a member of the business community, a senior citizen, and a member-at-large.

3. Appointment to three year terms will be made in accordance with the statute. Upon initial formation of the ATEF Committee, terms of members will be arranged so that the terms of as nearly an equal number of members as is possible shall expire each year.

D. MEETINGS

1. The Chelmsford ATEF Committee shall meet at least quarterly and as many times as deemed necessary and appropriate for the conduct of ATEF Committee business.

2. Attendance at meetings of the Chelmsford ATEF Committee is strongly encouraged. Absence from 50% of more of its meetings in a given year will result in the dismissal of said appointment and there will be a new appointment for the remainder of the term.

3. A quorum for purposes of transacting business shall consist of five members. Decisions will be based upon a vote of the majority of the members present.

4. A secretary will be elected by the ATEF Committee to keep records.

5. The Town Treasurer shall provide the ATEF Committee with quarterly financial reports on the status of the Chelmsford ATEF.

E. PROCEDURES

1. Written proposals presented in the format specified by the Committee requesting funding from the Chelmsford ATEF shall be submitted to the ATEF Committee at least two weeks prior to a posted meeting.

2. Application for such funds may be made by a School Council (as established under M.G.L. Chapter 71, Section 59C) and by members of the professional

teaching staff employed by the Chelmsford Public Schools. The School Committee may make application through the Superintendent of Schools who is a member of the ATEF Committee.

3. The funds will be dispersed through the Town Treasurer after the application, presentation, and decision process have been completed. All requests for supplemental funding must support the mission and beliefs of the Chelmsford Public Schools and be in accordance with Chelmsford School Committee policy.

The Moderator proceeded with Article 19. Chairman of the Planning Board Kim MacKenzie read the Board's recommendation. A discussion took place concerning the wording of Residential Cluster Development vs Planned Open Space. Henrick Johnson made a point of order. He stated that due to the lateness of the hour, at this time he felt that the meeting should adjourn and return on Monday May 6th at 7:30 PM at the Senior Citizen Center on Groton Road. The Moderator asked for a show of hands, motion carried, unanimously. The meeting adjourned at 10:55 PM.

_____ _____

Dennis E. McHugh, Moderator Mary E. St.Hilaire, Town Clerk

Adjourned Annual Town Meeting
May 6, 1996

The Annual Town Meeting was called to order at the Senior Center by the Moderator, Dennis E. McHugh at 7:40 PM, who recognized the presence of a quorum. There were 144 Town Meeting Representatives present.

Under Article 19. Planning Board Member Robert C. Morse, moved that the Town vote to amend the Zoning By-Law, Town of Chelmsford, Section 4700, Residential Cluster Development, by deleting the existing name of "Residential Cluster Development" or the abbreviation to "RCD" and substituting the following new name "Planned Open Space Residential Development" or the abbreviation "POS" wherever applicable in sections 2300, 4700, 4710, 4711, 4712, 4713, 4714, 4720, 4730, 4740, 4760, 4770, and 4780 of the Zoning By-Laws.

Chairman of the Planning Board Kim MacKenzie, read the Board's recommendation: The Planning Board held a Public Hearing on March 13, 1996 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on February 22nd and 29, 1996, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At the meeting of March 13, 1996, the proponents, residents and the Planning Board discussed the merits of the this zoning by-law change. It is the opinion of the Planning Board that by deleting the existing name of Residential Cluster and substituting Planned Open Space Development, that it is more representative with the purpose and intention of this type of development. Therefore, in keeping consistent with the general intent of the Zoning By-Laws in the development of the community, the Planning Board voted (6-)) (one member was not in attendance) to recommend, an amendment to delete the existing name of "Residential Cluster Development to "Planned Open Space"as stated in he attached legal ad.

Kim MacKenzie explained that the only change in the zoning bylaw is the name not the use. The Board is not changing the intent of the by-law. If anything it is to clear up the misconception of the term "Cluster". A developer is still going to have to have ten acres of buildable land to develop under this category. He asked Planning Board Member Tracy Wallace Cody, to further explain. She said that Cluster doesn't mean more houses will be built on the ten acres. Instead of building the ten houses on one acre lots each, the developer can build the ten houses on half acre lots and the rest of the land will remain as open space within the development. This would allow the houses to be closer together which would make it less expensive for the developer when building a road, and running the utility lines. No structure will be allowed on the open space. It could be used as bike paths, or a park, as long as the space is left open. The Finance Committee recommended the article. The Board of Selectmen recommended the article. A number of Representatives expressed their concerns about the changed wording, felt it could be a misconception. It won't make a difference in the interpretation. Chris Garrahan of the Conservation Commission spoke in favor. All this by-law does is controls growth. Robert Morse, Planning Board Member and member of the Open Space Committee spoke in favor of the article. Dennis Ready moved the question to stop debate. The Moderator asked for a show of

hands, motion carried, unanimously. He then attempted vote by way of a show of hands on the motion. This left the Chair in doubt, a unanimous or 2/3's vote is needed.
He asked the following tellers to come forward and conduct a hand count. Dorothy Frawley, Patricia Plank, Lucy Simonian, John Maleski. The result: Yes 90 No 38 2/3's is 85, motion carried.

Under Article 20. Planning Board Member Robert C. Morse, moved that the Town vote to amend the Zoning By-Law, Town of Chelmsford, Article V. Definitions, by substituting the term "net floor area" for the terms "gross floor area" wherever it now appears in the By-Law, and by adding the following definition of "net floor area":

> Net floor area: The aggregate horizontal area in square feet of all floors of a building or several buildings on the same lot, measured from the exterior faces of the walls enclosing each building; and exclusive of the cellars and attic area used only for storage, bathrooms, stairwells, elevators, mechanical rooms, or areas for service incidental to the operation or maintenance of the building.

Chairman of the Planning Board Kim MacKenzie, read the Board's recommendation:
The Planning Board held a Public Hearing on February 28, 1996 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on February 1st and 8th, 1996, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At The Meeting of February 28, 1996, the proponents, residents and the Planning Board discussed the merits of the this zoning by-law change. It is the opinion of the Planning Board that substituting the term "net floor area" for the terms "gross floor area" will provide a more accurate measurement for related construction. Therefore, in keeping consistent with the general intent of the Zoning By-Laws in the development of the community, the Planning Board voted (6-0) (Mr. James Good was absent) to recommend, an amendment to amend the existing Zoning By-Law, Town of Chelmsford regarding Floor Areas as stated in the above attached legal ad.

Kim MacKenzie explained that this article changes the wording under the definition section of the by-law. Article 22 will address the actual section in the by-law which will be effected. Dennis Ready questioned why there are a lot of zoning changes on this warrant. He felt that the Fall meeting was where zoning issues should be addressed. Kim MacKenzie explained that the Planning Board wanted to address these problem areas now and not wait until the Master Plan or the Fall meeting. John Wilder wanted to know if this would effect the assessed value of the buildings? No it would not. The Finance Committee recommended the article. The Board of Selectmen were against the article. James Doukszewicz asked if there would be any type of grandfather clause for the present businesses. Yes any of the businesses now in operation are grandfathered, this is intended for future business. John Wilder wanted to know the reasoning behind the Selectmen's recommendation. Chairman Lawlor explained that money has been appropriated for a Master Plan study and felt that is when any issues should be changed. The Moderator asked for a show of hands on the article. Motion defeated.

Under Article 21. Planning Board Member Robert C. Morse, moved that the Town vote to amend Article 3, Section 3120 (f) of the Chelmsford Zoning By-Law in order to change the number of parking spaces required for restaurants , lounges, and function rooms, by deleting the phrase, "One (1) space per three (3) seats based on the legal seating capacity of the facility" and substituting therefore the following phrase:

One (1) space per employee and one (1) space per two and one-half (2.5) seats based on the maximum-rated legal seating capacity of the facility.

Chairman of the Planning Board Kim MacKenzie, read the Board's recommendation: The Planning Board held a Public Hearing on February 28, 1996 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on February 1st and 8th,, 1996, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At The Meeting of February 28, 1996, the proponents, residents and the Planning Board discussed the merits of the this zoning by-law change. It is the opinion of the Planning Board that there is a need to increase the required parking spaces for restaurants, lounges and function rooms. Therefore, in keeping consistent with the general intention of the Zoning By-laws in the development of the community, the Planning Board voted (6-0) (Mr. James Good absent) to recommend, an amendment to change the existing Zoning By-law, Town of Chelmsford regarding the number of parking spaces for restaurants, lounges and function rooms as stated in the attached legal ad.

Kim MacKenzie explained that this change would only apply to new businesses or if any grandfathered business changes it's use, like putting on an addition which would increase it's seating capacity. If a business was to sell then wouldn't the business become non-conforming? Town Counsel John Georgio said the buyer would need a use variance under Chapter 40 section 6 from the Board of Appeals. The Board of Selectmen were in favor of the article. When businesses come before them for the various licenses, the parking issue is always a concern. A lengthy discussion took place over the employee parking being part of the seating capacity restriction. John Harrington expressed the concerns of the business community of this being very limited and restrictive. Kim MacKenzie said this would not effect any present business operation. After listening to the discussion, The Board of Selectmen felt that article 23 was the better article to consider. The Finance Committee preferred article 23 also and asked that this article be rescinded. Henrick Johnson moved the question to stop debate. The Moderator asked for a show of hands, motion carried. The Moderator asked for a show of hands on the article, motion defeated.

Under Article 22. Planning Board Member Robert C. Morse, moved that the Town vote to see if the Town will vote to amend Article 3, Section 3120(d), of the Chelmsford Zoning By-Law in order to change the ratio of parking spaces required for businesses and professional offices, office buildings, and office of a wholesale establishment including sales space, by substituting the term "net floor area" for the term "gross floor area".

The Moderator explained that because article 20 was defeated, this article was being withdrawn by the Planning Board. He asked for a show of hands on the motion to withdraw, motion carried, unanimously.

Under Article 23. Planning Board Member Robert C. Morse, moved that the Town vote to amend Article 3, Section 3120(f) of the Chelmsford Zoning By-Law in order to change the ratio of parking spaces required for restaurants, lounges and function rooms, by deleting the Section 3120(f) in its entirety and substituting therefore the following new Section 3120(f):

> Section 3120(f). Restaurants, lounges, and function rooms. One (1) space per employee on the largest shift and one (1) space per two and one-half (2.5) seats, based upon the maximum-rated, legal seating capacity of the facility.

Chairman of the Planning Board Kim MacKenzie, read the Board's recommendation:
The Planning Board held a Public Hearing on February 28 1996 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on February 1st and 8th, 1996, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At The Meeting of February 28, 1996, the proponents, residents and the Planning Board discussed the merits of the this zoning by-law change. It is the opinion of the Planning Board that there is a need to increase the required parking spaces for restaurants, lounges and function rooms. Therefore, in keeping consistent with the general intent of the Zoning By-laws in the development of the community, the Planning Board voted (6-0) (Mr. James Good was absent) to recommend, an amendment to change the existing Zoning By-Law, Town of Chelmsford regarding the number of parking spaces for restaurants, lounges and function rooms as stated in the attached legal ad.

Kim MacKenzie explained the purpose of the article. The basic reasoning was the same as those expressed in article 21. The Finance Committee and the Board of Selectmen were in favor of this article. John Harrington said this amendment is still restrictive for the business community. James Creegan member of the Planning Board who was Chairman when these articles were drawn up, stated that the Planning Board is trying to be pro-active on the different issues addressing the Town now. The members on the Planning Board and the Open Space Committee put a lot of time into researching these issues. Now is the time to have these regulations changed and in place, rather then waiting for the future completion of the Master Plan. He asked support from the Body. Dennis Ready moved the question to stop debate. The Moderator asked for a show of hands, motion carried, unanimously He asked for a show of hands on the motion, which left the Chair in doubt. A 2/3's vote is required. He asked the tellers to come forward and take a hand count. The result was Yes 107 No 25 2/3's is 88, motion carried.

Under Article 24. Planning Board Member Robert C. Morse, moved that the Town vote to amend Article 3, Section 3140 of the Chelmsford Zoning By-Law in order to establish location and minimum size requirements for off-street loading areas, by 1) adding a new subsection 3147 to read as follows:

3147. Location and Off-Street loading bay required under Section 3130 shall be no less that twelve (12) feet in width, forty (40) feet in length, and fourteen (14) feet in height, exclusive of driveway and maneuvering space.

And;

2) adding a new subsection 3148 to read as follows:

3148. Required Off-Street loading bays and their associated maneuvering space shall be located entirely on the same lot as the building being served.

Chairman of the Planning Board Kim MacKenzie, read the Board's recommendation: The Planning Board held a Public Hearing on February 28, 1996 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on February 1st and 8th,, 1996, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At The Meeting of February 28, 1996, the proponents, residents and the Planning Board discussed the merits of the this zoning by-law change. It is the opinion of the Planning Board that there is a need to establish location and minimum size requirements for off street loading areas. Therefore, in keeping consistent with the general intent of the Zoning By-laws in the development of the community, the Planning Board voted (6-0) (Mr. James Good was absent) to recommend, an amendment to change the existing Zoning By-Law, Town of Chelmsford regarding the off-street loading areas as stated in the attached legal ad.

Kim MacKenzie said that the by-laws do not presently have any criteria for loading zones, and there is a need to have one. The Board of Selectmen recommended the article. The Finance Committee recommended the article. The Moderator asked for a vote by way of a show of hands on the article. Motion carried, unanimously.

Under Article 25. Planning Board Member Robert C. Morse, moved that the Town vote to amend the Chelmsford Zoning By-Law, Article V, Definitions, by deleting the existing definition of "Lot, frontage of": and substituting, therefore, the following new definition:

Lot, frontage of: A lot line coinciding with the sideline of a street which provides both legal rights of vehicular access and physical, vehicular access to the lot, said line to be measured continuously along a single street or along two (2) intersecting streets if their angle of intersection is greater than one hundred and twenty (120) degrees. Vehicular access to a building site on the lot shall be exclusively through the frontage of the lot.

Chairman of the Planning Board Kim MacKenzie, read the Board's recommendation: The Planning Board held a Public Hearing on February 28, 1996 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on February 1st and 8th, 1996, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At The Meeting of February 28, 1996, the proponents, residents and the Planning Board

discussed the merits of the this zoning by-law change. It is the opinion of the Planning Board that the current definition of lot frontage needed as a clearer and more accurate description of the Board's interpretation of lot frontage. Therefore, in keeping consistent with the general intent of the Zoning By-laws in the development of the community, the Planning Board voted (6-0) (Mr. James Good was absent) to recommend, an amendment to change the existing Zoning By-Law, Town of Chelmsford regarding "Lot, Frontage of:" and attached the new definition..

Kim MacKenzie explained that the way the by-law reads now, people and developers are able to skirt the legal requirements of frontage in order to build on property. This would require that the property must have frontage access off a street in order to develop property. He gave an example of what is happening now. Long driveways are being developed to go around a problem area on a lot or to obtain access due to a existing structure all ready being in place. This avoids the need of having 150 foot frontage access. This restriction would prevent what is now really inaccessible land being considered a buildable lot. And the possible unbuildable land from being built on in the future once sewage is completed. The Finance Committee was in favor of the article. A majority of the Board of Selectmen were against the article. A discussion took place. Planning Board Member James Creegan said that this prevents people building on marginal lots. A question was asked concerning the frontage access. In order for the house to have acceptable frontage access, does the driveway of the structure have to come in off the front of the structure? Town Counsel John Georgio said that in his opinion frontage means that the driveway must be located on the front unless a variance from the Board of Appeals is obtained. The Moderator asked for a vote by way of a show of hands on the article. This left the Chair in doubt. The tellers came forward and a hand count was taken. Yes 102 No 36 92 is 2/3's the article passes.

Robert Joyce made a motion to reconsider article 20 at this time. The Finance Committee was not in favor of the motion. The Board of Selectmen were not in favor of the motion. The Moderator asked for a show of hands on the motion, motion defeated.

Under Article 26. Selectman Peter V. Lawlor, moved that the Town vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple with the trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on Exhibit A showing drainage easement on land of Charles G. Mackey at 157 Middlesex Street, North Chelmsford, Massachusetts, dated March, 1996. Said Exhibit to be presented at Town Meeting, for the purpose of constructing and maintaining a drainage system and all other appurtenances thereto; and to raise and appropriate $1000.00 (subject to appraisal) to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking.

The Town Manager explained the article. Twelve years ago a drain line was put in behind this property. The owner of the land brought it the DPW's attention saying that the Town didn't have a legal easement across his property in order to maintain the line. The Manager said that the property owner had been receiving a tax break of 8% per year for the last twelve years because of the easement, which is why it had gone unnoticed as not being a legal easement. This article would allow the Town opportunity to gain the legal right of easement. The Finance

Committee recommended the article. The Board of Selectmen recommended the article. Hank McEnany said that he spoke to the property owner Mr. Mackey. Mr. Mackey wasn't aware of this article, and doesn't want to grant the easement. He felt by granting the easement he will be unable to build a garage on the property. The Town Manager said that Mr. Mackey was the person who brought this issue to his attention. Showing the plot plan layout of the property it indicates that building a garage would not effect the easement location. Selectman Dalton said Mr. Mackey had been informed of the pending article. It is in the best interest for Mr. Mackey to agree to this because if and when he ever goes to sell his house or goes to refinance the property he needs to have a clear title. A discussion took place. Some Representatives felt that further discussion should take place with the property owner and once an agreement is made bring the article back in the Fall. Dennis Ready moved the question to stop debate. The Moderator asked for a show of hands on the motion, motion carried, unanimously. The Moderator attempted a vote by way of a show of hands, which left the Chair in doubt, the tellers were called to come and conduct a hand count. The result Yes 105 and No 23 2/3's 85, the motion carried.

Under Article 27. Selectman Peter V. Lawlor, moved that the Town vote to authorize the Board of Selectmen to amend the Chelmsford Home Rule Charter under Part III, Section 3-2(c), Board of Selectmen Appointment Powers by adding the following sentence at the end of the section:

"The Board of Selectmen may appoint policy advisory committees to assist their decision making process".

Selectman William Dalton explained the article. There has been three Town Meeting articles, then a non-binding ballot question in April of 1995, which had received over five hundred votes in favor of the question which is why the article has come back again. The Finance Committee was against the article. The Board of Selectmen did not have a recommendation. Glenn Thoren spoke in favor of the article. He felt that the Board should be able to appoint there own committee when addressing a policy issue. Selectman Susan Gates asked for permission to read Selectman Thomas Welch's statement on why he was against the article to the Body. Permission was granted. The statement listed his reasons and ask that the Body defeat the article. John O'Connell spoke in favor of the article. He cited an incident when he was on a committee to view the use of computers in the Town Offices. He felt that because the Committee wasn't going in the same direction as the Manager, that Committee was disbanded. Selectman Gates said that the Charter now allows the Board to decide who can be on a Committee that they want to establish because when the Town Manager makes his recommendation of a committee appointment they as a Board can veto the recommendation. Donald Elias spoke against the article. Robert Joyce, who was a former Selectman said that the Board can only veto the appointments they can't make the actual appointments. Dennis Ready spoke in favor of the article. He felt that the Selectmen should be able to vote for the actual people that they want to have on a committee. Jeffrey Stallard, William Griffin spoke in favor. Cheryl Boss said that the majority of the Selectmen feel that the present system is working. Barbara Scavezze moved the question to stop debate. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator asked for a show of hands on the article. Motion defeated.

Thomas Christiano attempted to discuss adjourning the meeting due to the lateness of the hour. The Representatives did not even want to hear any discussion, they wanted the meeting to continue.

Under Article 28. Petitioner Jonathan Stubbs moved to withdraw the article. The Moderator asked for a show of hands on the motion, motion carried, unanimously.
The article read as follows:

To see if the Town will vote to amend Article VI, Section 20 of the General By-Laws by adding Paragraph 10, to read as follows:

> A civilian unit be established within the Police Department to patrol the handicap parking spaces within the Town. This unit will have the authority to issue citations for handicap parking violations. Any moneys generated by this unit will be designated for handicap access projects in the Town of Chelmsford.

Under Article 29. Jonathan Stubbs moved that the Town vote to amend Article II, Section 4.14 of the General By-Laws by adding Paragraph (h) to read as follows:

> The subject matter of a Town Meeting Article may not be brought before future Town Meeting for three years, except where governed by state law.

Jonthan Stubbs moved to amend the article to read as follows:
The substance of any article defeated at a Town meeting shall not again be placed on the warrant for a period of one year without specific approval of the Board of Selectmen.

Jonathan Stubbs explained that he had been advised by Town Counsel that State statue says an article is allowed to come back after one year, so the by-law should be the same as the State statue. The Finance Committee was against the article. The Board of Selectmen were against the article. Thomas Moran felt that this would effect petitioned articles. The Moderator asked for a vote on the motion to amend by way of a show of hands, motion defeated. He then asked for a vote on the main motion by way of a show of hands, motion defeated.

Under Article 30. Jonathan Stubbs moved that the Town vote to amend Article II, Section 4.14, Paragraph (g) of the General By-Laws, by deleting the existing Paragraph (g) which reads "The Moderator will allow a question-and-answer period of the sponsor of an article to gather factual information or understanding of the article. Debate of the article is not allowed during this period." and substituting , therefore, the following new Paragraph (g):

> The Town Moderator will allow a thirty (30) minute question and answer period of the sponsor of an article to gather factual information or understanding of the article. Debate of the article is not allowed during this time. The Town Moderator will keep track of the time remaining.

Jonathan Stubbs explained the purpose of the article. Selectman Dalton asked that the Body consider combining the debate and question time, this would speed up the process. A number of representatives spoke against putting any time limit on an article. Dennis Ready moved the question to stop debate. The Moderator asked for a show of hands on the motion, motion carried unanimously. The Moderator asked for a show of hands on the article, motion defeated.

The Moderator then recognized the motion that Selectman Lawlor had given him allowing the Body to extend the Town Meeting action to proceed beyond the 11:00 PM by-law requirement. He asked that Selectman Lawlor actually indicate on the motion what articles are to be taken up during this extended time. Selectman Peter Lawlor moved that the Town Meeting go beyond 11:00 PM to address articles 31, 32, and 33. The Moderator asked for a show of hands on the motion. Motion carried, unanimously.

Under Article 31. Selectman Peter V. Lawlor, moved that the Town vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Clerk:

Lori Lane
Marguerite Road
Dobson Road
Deana Lane
McCormick Lane
Alcorn Road
Courthouse Lane
Kristin Drive Extension
Grady Drive
Old Farm Way
Somerset Place
Moore Street (0+0 to 16+82)
Brittany Lane
Moccasin Lane
Fairmount Street

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and to raise and appropriate $15.00 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto.

Town Manager Bernard Lynch explained that the Planning Board and the DPW department have gone over the accepted street listing and noticed that most of the Streets shown never had

been accepted officially by the Town. 99% of them had been built according to the Town's requirements and their bonds have been released. There were a few that aren't fully completed yet. There is one more step that the Selectmen must take after the Town Meeting votes acceptance. They are required to sign off the streets as officially accepted, and until any street in question meets all the requirements they will not be signed off. John O'Connell questioned if the streets that are not fully completed what guarantee does the Town have that the Sewer Project won't end up doing the finish work. That way the developer won't have to spend the money and the Town will. James Pearson of the DPW said that the Streets in questioned already have the sewer lines going down them, in fact the developer did the work which meant that the Town wasn't responsible for providing the lines. The Finance Committee and the Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Selectman William Dalton moved that Article 30 be reconsidered at this time. The Finance Committee was not in favor of the motion. The Board of Selectmen were not in favor of reconsideration. Selectman Dalton explained that his intent is to bring the article back so he could amend it. He wanted to delete all the wording of the section mentioned in the article, which would ultimately result in no question and answer period or debate period being observed. Everything and anything could be addressed at one time. John Coppinger expressed concern of this being done due to the fact that the intent of the article was to amend the by-law by adding to it, not eliminating anything. Town Counsel John Georgio said that the motion to delete could be done because it would be addressing an area cited in the warrant. Dennis Ready moved the question to stop debate, motion carried. The Moderator asked for a show of hands on the motion to reconsider article 30. Motion defeated.

Under Article 32. Town Manager Bernard Lynch moved that this article by withdrawn. The Moderator asked for a vote by way of a show of hands, motion carried. The article read as follows:

To see if the Town would vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that the "Paper Road" known as Canal Street, North Chelmsford, as hereinafter described shall be discontinued and all public rights in any and all portions of said streets, and/or town ways relative to said street shall be henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Canal Street on a plan entitled "Proposed Discontinuous Parcel 'A', Town Meeting, 1996", prepared by the Town Engineer's Office, Town of Chelmsford, copies of such are on file in the Town Engineer's Office. And to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all rights, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road, to the abutters of said property.

Under Article 33. Town Manager Bernard Lynch moved that the Town vote to amend Article 2 of the 1995 Spring Town Meeting by transferring $63,000 from Line Item 1, General Government Personnel Services, to Line Item 2, General Government Expenses.

The Town Manager explained that Town Counsel is handle as an hourly expense, not as a personnel line item as in the past, therefore the money should be transferred to the expense section within the budget. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Seeing that there was no further business at hand, the Moderator declared the Town Meeting adjourned sine die. Motion carried, unanimously. The meeting adjourned at 11:20 PM.

_____ _____

Dennis E. McHugh, Moderator Mary E. St.Hilaire, Town Clerk

THE COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

Middlesex

To the Constable of the Town of Chelmsford

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to vote at:

Precinct 1 Town Office Building Gymnasium

Precinct 2 Harrington Elementary School Gymnasium

Precinct 3 Harrington Elementary School Gymnasium

Precinct 4 Westlands School Cafetorium

Precinct 5 Byam School Cafetorium

Precinct 6 Westlands School Cafetorium

Precinct 7 McCarthy Middle School, Small Gymnasium

Precinct 8 McCarthy Middle School, Small Gymnasium

Precinct 9 Town Office Building Gymnasium

On TUESDAY, THE SEVENTEENTH DAY OF SEPTEMBER 1996 FROM 7:00 a.m. to 8:00 p.m. for the following purpose:

To cast their votes in the State Primary for the Candidates of Political parties for the following offices:

U.S. SENATOR	FOR THE COMMONWEALTH
REPRESENTATIVE IN CONGRESS	FIFTH CONGRESSIONAL DISTRICT
COUNCILLOR	THIRD COUNCILLOR DISTRICT
SENATOR IN GENERAL COURT	FIFTH MIDDLESEX SENATORIAL DISTRICT
REPRESENTATIVE IN GENERAL COURT	SIXTEENTH MLDSX REPRESENTATIVE DIST
REGISTER OF PROBATE	MIDDLESEX COUNTY
COUNTY TREASURER	MIDDLESEX COUNTY
COUNTY COMMISSIONER	MIDDLESEX COUNTY
SHERIFF (to fill vacancy)	MIDDLESEX COUNTY

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 16th day of September 1996

Peter V. Lawlor, Chairman

Susan J. Gates, V.Chairman

Stuart G. Weisfeldt, Clerk

William F. Dalton

TOWN OF CHELMSFORD
COMMONWEALTH OF MASSACHUSETTS

iddlesex Date Sept 9, 1996

Pursuant to the within Primary Election Warrant, I have notified nd warned the inhabitants of the Town of Chelmsford by posting up ttested copies of same at the following places, to wit:

own Office Building Gym, Harrington School Gymnasium, Harrington chool Gymnasium, Westlands School Cafeteria, Byam School Cafetorium, estlands School Cafeteria, McCarthy Middle School Small Gymnasium, cCarthy Middle School Small Gymnasium, and Town Office Building Gym, nd Town Office Building Lobby.

Signed William E. Spence
William E. Spence,
Constable

True Copy Attest, William E Spence -
William E. Spence, Constable

DEMOCRATIC STATE PRIMARY - SEPTEMBER 17, 1996

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
U.S. SENATOR										
Blanks	32	15	26	23	24	30	20	32	20	222
John F. Kerry	87	77	81	93	73	114	76	98	61	760
Write-In	4	2	4	3	0	2	4	5	2	26
Misc	0	0	0	2	1	0	0	1	0	4
TOTAL	123	94	111	121	98	146	100	136	83	1012
REPRESENTATIVE CONGRESS -5th										
Blanks	9	2	5	6	6	5	7	7	7	54
Martin T. Meehan	93	83	88	94	78	124	81	113	65	819
Patrick M. Raymond	21	9	18	21	14	17	12	15	10	137
Write-In	0	0	0	0	0	0	0	0	1	1
Misc	0	0	0	0	0	0	0	1	0	1
TOTAL	123	94	111	121	98	146	100	136	83	1012
COUNCILLOR - 3rd District										
Blanks	50	34	33	45	39	46	39	53	30	369
Cynthia Stone Creem	72	60	78	76	59	100	60	83	53	641
Write-In	1	0	0	0	0	0	1	0	0	2
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	123	94	111	121	98	146	100	136	83	1012
SENATOR GENERAL COURT-5th Mldsx										
Blanks	38	30	28	33	24	27	30	45	27	282
Susan Fargo	85	64	83	88	73	118	69	91	56	727
Write-In	0	0	0	0	0	1	1	0	0	2
Misc	0	0	0	0	1	0	0	0	0	1
TOTAL	123	94	111	121	98	146	100	136	83	1012
REPRESENTATIVE IN GENERAL COURT-16th Mldsx										
Blanks	46	40	30	39	35	43	42	52	33	360
Patrick Ryan Sparks	76	53	80	82	62	103	58	82	50	646
Write-In	0	1	1	0	0	0	0	1	0	3
Misc	1	0	0	0	1	0	0	1	0	3
TOTAL	123	94	111	121	98	146	100	136	83	1012

DEMOCRATIC STATE PRIMARY - SEPTEMBER 17, 1996

REGISTER OF PROBATE -Mldsx County										
Blanks	24	20	15	15	6	19	19	23	9	150
Robert B. Antonelli	11	13	16	27	11	21	7	14	9	129
John J. Buckley	15	14	23	10	6	20	13	13	5	119
Francis X. Flaherty	5	4	13	10	6	14	8	13	4	77
Diane Poulos Harpell	17	14	12	18	16	20	12	23	10	142
Marie E. Howe	10	7	2	11	5	11	4	13	6	69
Joyce E. Hurley	8	7	3	6	5	6	1	6	2	44
Ronald A. MacDonald	2	2	6	3	1	1	4	5	5	29
Wanda M. Milik	31	13	21	20	41	34	32	23	33	248
Write-In	0	0	0	1	0	0	0	2	0	3
Misc	0	0	0	0	1	0	0	1	0	2
TOTAL	123	94	111	121	98	146	100	136	83	1012

COUNTY TREASURER - Middlesex										
Blanks	33	22	21	22	18	30	28	44	22	240
James E. Fahey, Jr.	57	50	58	67	52	80	38	55	32	489
Warren R. McManus	33	22	32	32	27	36	34	35	29	280
Write-In	0	0	0	0	0	0	0	1	0	1
Misc	0	0	0	0	1	0	0	1	0	2
TOTAL	123	94	111	121	98	146	100	136	83	1012

After Recount of 9/30/96

COUNTY COMMISSIONER - Mddlsx (2)										
Blanks	80	54	57	71	52	90	71	104	59	638
Thomas J. Larkin	29	22	31	30	31	33	29	30	22	257
Melissa Hurley	23	23	25	21	23	23	12	27	21	198
James P. Kennedy	38	35	48	48	34	54	28	41	20	346
Eleanor A. Mc Garry	36	35	33	44	28	39	27	27	30	299
Joseph W. Mullin	21	12	16	9	18	23	24	18	10	151
Edward J. Sullivan	19	7	12	19	10	30	9	22	4	132
Write-In	0	0	0	0	0	0	0	2	0	2
Misc	0	0	0	0	0	0	0	1	0	1
TOTAL	246	188	222	242	196	292	200	272	166	2024

SHERIFF - Middlesex County fill vacancy										
Blanks	21	6	12	6	10	10	16	22	13	116
James V. DiPaola	48	40	36	51	39	58	37	37	28	374
Leonard H. Golder	5	6	8	12	7	6	6	12	6	68
Edward J. Kennedy, Jr.	38	40	47	43	35	58	35	57	29	382
Edward J. Rideout	11	2	8	9	7	14	6	5	7	69
Write-In	0	0	0	0	0	0	0	2	0	2
Misc	0	0	0	0	0	0	0	1	0	1
TOTAL	123	94	111	121	98	146	100	136	83	1012

RECOUNT 9/30/96

County Commissioner Middlesex
vote for 2

	PREC 1	PREC 2	PREC 3	PREC 4	PREC 5	PREC 6	PREC 7	PREC 8	PREC 9	TOTAL
Blanks	80	54	57	71	52	90	71	104	59	638
Thomas J. Larkin	29	22	31	30	31	33	29	30	22	257
Melissa Hurley	23	23	25	21	23	23	12	27	21	198
James P. Kennedy	38	35	48	48	34	54	28	41	20	346
Eleanor A. McGarry	36	35	33	44	28	39	27	27	30	299
Joseph W. Mullin	21	12	16	9	18	23	24	18	10	151
Edward J. Sullivan	19	7	12	19	10	30	9	22	4	132
Write-In								2		2
Misc								1		1
TOTAL	246	188	222	242	196	292	200	272	166	2024

COUNTY COMMISSIONER - Mddlsx (2)

Blanks	83	54	57	71	53	90	72	104	59	643
Thomas J. Larkin	28	22	31	30	31	33	29	30	22	256
Melissa Hurley	23	23	25	21	23	23	12	27	21	198
James P. Kennedy	36	35	49	48	33	54	28	41	20	344
Eleanor A. Mc Garry	36	35	32	44	28	38	26	27	30	296
Joseph W. Mullin	21	12	16	9	17	24	24	17	10	150
Edward J. Sullivan	19	7	12	19	11	30	9	23	4	134
Write-In	0	0	0	0	0	0	0	2	0	2
Misc	0	0	0	0	0	0	0	1	0	1
TOTAL	246	188	222	242	196	292	200	272	166	2024

REPUBLICAN STATE PRIMARY - SEPTEMBER 17, 1996

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
U.S. SENATE										
Blanks	4	2	2	2	3	1	3	3	1	21
William F. Weld	62	23	41	36	38	70	42	36	47	395
Write-In	1	3	1	4	0	1	0	0	0	10
Misc	0	0	0	0	0	2	0	0	0	2
TOTAL	67	28	44	42	41	74	45	39	48	428
REPRESENTATIVE CONGRESS -5th										
Blanks	59	27	43	41	37	61	42	34	46	390
Write-In	2	1	0	0	1	2	1	2	2	11
Misc	6	0	1	1	3	11	2	3	0	27
TOTAL	67	28	44	42	41	74	45	39	48	428
COUNCILLOR - 3rd District										
Blanks	61	27	43	42	37	66	44	37	47	404
Write-In	0	1	0	0	1	0	0	0	1	3
Misc	6	0	1	0	3	8	1	2	0	21
TOTAL	67	28	44	42	41	74	45	39	48	428
SENATOR GENERAL COURT-5th Mldsx										
Blanks	14	8	10	10	15	18	9	18	7	109
Hasty Evans	52	19	34	32	26	52	36	21	40	312
Write-In	1	1	0	0	0	0	0	0	1	3
Misc	0	0	0	0	0	4	0	0	0	4
TOTAL	67	28	44	42	41	74	45	39	48	428
REPRESENTATIVE IN GENERAL COURT-16th Mldsx										
Blanks	13	11	10	18	8	20	11	12	10	113
Carol C. Cleven	53	15	34	22	32	51	34	27	38	306
Write-In	1	2	0	1	0	1	0	0	0	5
Misc	0	0	0	1	1	2	0	0	0	4
TOTAL	67	28	44	42	41	74	45	39	48	428
REGISTER OF PROBATE -Mldsx County										
Blanks	13	8	9	9	17	15	15	16	9	111
Donna M. Lambert	54	20	34	32	24	58	30	23	39	314
Write-In	0	0	1	0	0	0	0	0	0	1
Misc	0	0	0	1	0	1	0	0	0	2
TOTAL	67	28	44	42	41	74	45	39	48	428

REPUBLICAN STATE PRIMARY - SEPTEMBER 17, 1996

COUNTY TREASURER - Middlesex										
Blanks	61	27	42	41	40	66	36	35	48	396
Write-In	0	1	1	0	0	0	1	1	0	4
Misc	6	0	1	1	1	8	8	3	0	28
TOTAL	67	28	44	42	41	74	45	39	48	428
COUNTY COMMISSIONER - Mddlsx (2)										
Blanks	65	27	43	40	50	81	49	49	32	436
Anthony G. Marino	39	15	25	25	20	40	25	17	36	242
Jerry Vengrow	29	13	20	19	12	26	15	12	28	174
Write-In	1	1	0	0	0	0	1	0	0	3
Misc	0	0	0	0	0	1	0	0	0	1
TOTAL	134	56	88	84	82	148	90	78	96	856
SHERIFF - Middlesex County										
Blanks	14	8	8	7	14	19	10	11	6	97
Brad Bailey	53	19	35	35	27	52	35	28	42	326
Write-In	0	1	1	0	0	1	0	0	0	3
Misc	0	0	0	0	0	2	0	0	0	2
TOTAL	67	28	44	42	41	74	45	39	48	428

LIBERTARIAN STATE PRIMARY - SEPTEMBER 17, 1996

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
U.S. SENATOR										
Blanks	0	0	0	0	0	0	0	0	0	0
Write-In George Phillies	1	0	1	1	0	0	0	0	0	3
Write-In Weld	0	0	0	0	0	0	0	0	1	1
Write-In Brian Woods	0	0	0	0	0	0	0	1	0	1
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	1	1	0	0	0	1	1	5
REPRESENTATIVE CONGRESS -5th										
Blanks	1	0	1	1	0	0	0	1	1	5
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	1	1	0	0	0	1	1	5
COUNCILLOR - 3rd District										
Blanks	1	0	1	1	0	0	0	1	0	4
Write-In	0	0	0	0	0	0	0	0	1	1
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	1	1	0	0	0	1	1	5
SENATOR GENERAL COURT-5th Mldsx										
Blanks	1	0	1	1	0	0	0	1	0	4
Write-In	0	0	0	0	0	0	0	0	1	1
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	1	1	0	0	0	1	1	5
REPRESENTATIVE IN GENERAL COURT-16th Mldsx										
Blanks	1	0	1	1	0	0	0	1	0	4
Write-In	0	0	0	0	0	0	0	0	1	1
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	1	1	0	0	0	1	1	5
REGISTER OF PROBATE -Mldsx County										
Blanks	1	0	1	1	0	0	0	1	0	4
Write-In	0	0	0	0	0	0	0	0	1	1
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	1	1	0	0	0	1	1	5
COUNTY TREASURER - Middlesex										
Blanks	1	0	1	1	0	0	0	1	1	5
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	1	1	0	0	0	1	1	5
COUNTY COMMISSIONER - Middlesex (2)										

WARRANT FOR ANNUAL
TOWN MEETING OCTOBER 21, 1996

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the Town Meeting Representatives of said Chelmsford to meet in the Senior Center, Groton Road, North Chelmsford on Monday, the twenty-first of October, at 7:30 p.m. o'clock in the evening then and there to act upon the following articles, VIZ:

Article 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

Board of Selectmen

Article 2. To see if the Town will vote to rescind a portion of the Golf Course Authorization to borrow funds under Article 12 of the Special Town Meeting, held on May 4, 1995; or act in relation thereto.

Town Manager

Article 3. To see if the Town will vote to rescind the appropriation and borrowing authority under Article 16 of the Annual Spring Town Meeting in June of 1990 for the purpose of designing and constructing sewers in certain designated areas; or act in relation thereto.

Sewer Commission

Article 4. To see if the Town will vote to raise and appropriate or transfer and appropriate a certain sum of money to the Stabilization Fund; or act in relation thereto.

Town Manager

Article 5. To see if the Town will vote to appropriate from free cash a certain amount of money for the reduction of the tax rate; or act in relation thereto.

Town Manager

Article 6. To see if the Town will vote to appropriate a certain sum of money, this amount to be reduced by approximately $ 1.8 million of state Library grant assistance, for the purpose of designing, constructing, and originally equipping a new library facility as an addition to the Adams Library, and to provide compliance with the Americans with Disabilities Act (ADA), that to meet this appropriation the Treasurer with the approval of the Board of Selectmen be authorized to borrow a certain sum under Massachusetts General Laws Chapter 44, Section 7 as amended and to issue bonds and notes of the Town therefore payable in accordance with said Chapter 44; and that the Town Manager be authorized to expend the moneys so appropriated for the foregoing purposes, and to take all action necessary to carry out this project; or act in relation thereto.

Town Manager

Article 7. To see if the Town will vote to appropriate the sum of $100,000, more or less, for the purpose of designing an addition to the existing Police Station at 230 North Road, Chelmsford, Massachusetts, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow $100,000 under Massachusetts General Laws, Chapter 44, Section 7 as amended and to issue bonds and notes of the Town therefore payable in accordance with said Chapter 44, and that the Town Manager be authorized to expend the moneys so appropriated for the foregoing purposes and to take all action necessary to carry out this project; or act in relation thereto.

Town Manager

Article 8. To see if the Town will vote to authorize the revolving fund under Massachusetts General law C. 44, S. 53E ½ for the Board of Health for Fiscal Year 1997, The receipts to be credited to the fund shall be from the collection of fees from the implementation of a Hepatitis B program. The Board of Health shall be authorized to spend money from the fund for the purpose of acquiring supplies and materials necessary for implementing a Hepatitis B program. Expenditures from the Hepatitis B Revolving Fund shall be limited to $7,500 during Fiscal Year 1997; or act in relation thereto.

Board of Health
Town Manager

Article 9. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to pay bills of previous fiscal years; or act in relation thereto.

Town Manager

Article 10. To see if the Town will vote to transfer from free cash $134,152 to the School Department, said funding coming from Medicaid reimbursements; or act in relation thereto.

Town Manager

Article 11. To see if the Town will vote to amend the Fiscal Year 1997 operating budget under Article 2 of the Annual Town Meeting held on April 29, 1996 as follows:

Decrease Line Item #3, Chelmsford School Department, by a certain sum

Increase Line Item #5, Public Safety Personnel Services, by a certain sum

Increase Line Item #8, Public Works Expense, by a certain sum

Decrease Line Item #16, Undistributed Expenses, by a certain sum

Decrease Line Item #18, Debt Interest, by a certain sum

And that the Town transfer and appropriate a certain sum from free cash to defray such changes; or act in relation thereto.

Town Manager

Article 12. To see if the Town will vote to appropriate from Free Cash a certain sum of money for the funding of negotiated collective bargaining agreements; or act in relation thereto.

Town Manager

Article 13. To see if the Town will vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in a certain parcel of land on Kensington Drive, shown as Lot 79 shown on Assessors Map 138, containing 3,600 square feet more or less, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 04811, Page 0148; or act in relation thereto.

Board of Selectmen

Article 14. To see if the Town will vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to held for the purpose of conveyance, and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Laws, Chapter 30B, for consideration to be determined, all right, title and interest, if any, held by the Town in a portion of a certain parcel of land located adjacent to 144 Littleton Road in Chelmsford, Massachusetts, shown as Assessor's Map No. 176, Parcel No. 15, containing 2,631 square feet more or less, as more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 2223, Page 140, and to authorize the Board of Selectmen to file a Home Rule Petition under Article 97 of the Massachusetts Constitution, if necessary; or act in relation thereto.

Board of Selectmen
Conservation Commission

Article 15. To see if the Town will vote to transfer the care, custody, management, and control of the following described parcel of land and easement to the Board of Selectmen to be held for the purpose of conveyance, and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Laws, Chapter 30B, for consideration to be determined, all right, title and interest, if any, held by the Town in a portion of a certain parcel of land located adjacent to 20 Jensen Avenue in Chelmsford, Massachusetts, shown as Assessor's Map No. 95, Parcel No. 94, containing approximately 225 square feet more or less, and an access easement on a portion of the same certain parcel of land containing approximately 2,109 square feet more or less, as more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 2328, Page 249, and to authorize the Board of Selectmen to file a Home Rule Petition under Article 97 of the Massachusetts Constitution, if necessary; or act in relation thereto.

Board of Selectmen

Article 16. To see if the Town will vote to authorize the Town Manager to execute an inter municipal agreement between the Town of Chelmsford and the City of Lowell pursuant to Massachusetts General Laws C. 40, S. 4A for the purpose of operating and maintaining a traffic signal at the intersection of Drum Hill Road and Parkhurst Road; or act in relation thereto.

Town Manager

Article 17. To see if the Town will vote to amend the Town of Chelmsford Zoning By-Law, Section 2110 Official Zoning Map as it pertains to a 1.394 acre portion of Parcel C, Meetinghouse Road, Chelmsford, Massachusetts containing 4.69 acres in total of land, more or less, east of Crosby Lane and south of Interstate 495, said Parcel C being more fully described in Plan Book 165, Page 148 recorded with the Middlesex County North District Registry of Deeds, by changing the designation of said 1.394 acre portion of Parcel C from RB to CD - General Commercial District, and the uses; or act in relation thereto.

Petition

Article 18. To see if the Town will vote to amend the Chelmsford Zoning By-Law, Section 2110 Official Zoning Map as it pertains to certain parcels of land located northerly of Riverneck Road, easterly of Carter Drive and Cove Street, and southerly of Route 495, and being parcels of land shown on Assessors Map 107, Parcel 54, Map 108 Parcels 14 and 40 a portion of Map 109 Parcel 50, and Map 109 parcels 53 and 54, and Map 110 Parcels 13 and 14, by changing the designation of those lots from IA to RB; or act in relation thereto.

Petition

Article 19. To see if the Town will vote to amend the Zoning By-Law, Town of Chelmsford, Section 2420, by inserting the following sentence at the end of the section (NOTE: Language in bold print is new; all normal print presently appears in the Zoning By-law):

2420. *Extension or alteration.* As provided in section 6 of Chapter 40A, G.L., a nonconforming single- or two-family dwelling may be altered or extended provided that doing so does not increase the nonconforming nature of said structure and other pre-existing nonconforming structures or uses may be extended, altered, or changed in use on special permits from the board of appeals if the board of appeals finds that such extension, alteration, or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use. **Extension or alterations of nonconforming single- or two-family structures shall be allowed as of right, so long as such extension or alteration is within the existing footprint.**

; or act in relation thereto.

Board of Appeals

Article 20. To see if the Town will vote to amend the Zoning By-Law, Town of Chelmsford, Section 4600, Adult Entertainment Establishment, by inserting the following and deleting Section 4600 as it presently appears (NOTE: Language in bold print is new; all normal print presently appears in the Zoning By-Law):

"**4600 Adult Entertainment Establishments**

4610 PURPOSE It is the intent and purpose of this bylaw to regulate adult entertainment establishments to promote the health, safety and general welfare of the citizens of Chelmsford and to guard against adverse secondary effects on the youth of the town. Furthermore it is the intent and purpose to establish reasonable and uniform regulations to prevent any deleterious location and concentration of adult entertainment establishments within the town, thereby reducing the adverse secondary effects from such adult entertainment establishments. The provisions of this bylaw have neither the purpose nor effect of imposing limitations or restriction on the content of any communicative materials. Similarly, it is not the intent nor effect of this bylaw to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this bylaw to condone or legitimize the distribution of obscene material.

4620 Adult Entertainment Overlay District Boundaries. The Adult Entertainment Overlay District is established in addition to the Adult Entertainment (CX) District. The Adult Entertainment Overlay District Use Regulations shall be as herein described in the Adult Entertainment District.

4630 No adult entertainment establishment shall commence operations without first applying for and receiving a Special Permit from the Board of Appeals. Special Permits shall not be granted for an adult entertainment establishment if it is to be located less than one-thousand (1000) feet from:

(a) Another adult entertainment establishment;
(b) Residential uses;
(c) Public or private nursery schools;
(d) Public or private daycare centers;
(e) Public or private kindergartens;
(f) Public or private elementary schools;
(g) Public or private secondary schools;
(h) Playgrounds, **parks and public or private open space areas;**
(i) Religious institutions;

4640 The Board of Appeals may waive the one-thousand foot restrictions contained in section 4630 by special permit if it finds:

(a) That the proposed use will not be contrary to the public interest or injurious to nearby properties and that the spirit of this bylaw will be observed;

(b) That the proposed use will not enlarge or encourage the development of a "skid row" area;

(c) That the establishment of an additional regulated use in that area will not be contrary to any program of neighborhood conservation nor will it interfere with any program of urban renewal;

(d) That all applicable regulations of this bylaw will be observed;

(e) That no portion of the establishment shall be located on the ground level of any building.

The Board of Appeals shall not, under any circumstances, grant a special permit for an Adult Entertainment Establishment which shall be closer than seven-hundred-fifty (750) feet to any of the uses listed in section 4630.

4650 Measurement of distances shall be from the lot line of any if the uses described in section 4630.

4660 Conditions for Granting a Special Permit for Adult Entertainment Establishments:

(a) Adult Entertainment Establishments shall not be allowed within a building containing other retail, consumer or residential uses;

(b) No Adult Entertainment Establishment shall be located within sixty (60) feet of a public or private way;

(c) A material condition to every special permit issued with respect to any Adult Entertainment Establishment shall be that such establishment must cease its operations between the hours of 1:00 AM and 10:00 AM each day;

(d) No Adult Entertainment Establishment may have visible from the exterior of the premises any flashing lights;

(e) Each applicant for an Adult Entertainment Establishment must provide a plan submitted with its application showing adequate parking on the same lot as said establishment in the following ratio: one (1) parking space for each 1.25 persons allowed for said establishment's seating capacity;

(f) At all times when an adult entertainment establishment is open for business, the entire area of the premises must be continually illuminated to the degree of not less than one (1) foot candle (measured thirty (30) inches from the floor) except those portions of the room covered by furniture.

; or act in relation thereto.

Planning Board

ARTICLE 21. To see if the Town will vote to amend the Zoning Bylaw, Article V, Definitions, by inserting the following definition of Adult Book Store and deleting the definition of Adult Book Store as it presently appears (NOTE: Language in bold print is new; all normal print presently appears in the Zoning Bylaw):

Adult book store: An establishment having as a substantial or significant portion of its stock in trade printed matter, books, magazines, picture periodicals, motion picture films, video cassettes, **computer compact disks, computer disks or diskettes,** or coin operated motion picture machines for sale, barter or rental which are distinguished or characterized by their emphasis on matters depicting, describing or relating to "sexual conduct" as that term is defined in Massachusetts General Laws, Chapter 272, section 31, "sexual devices" or an establishment having for sale sexual devices which shall mean any artificial human penis, vagina or anus or other device primarily designed, promoted or marketed to physically stimulate or manipulate the human genitals, pubic area or anal area, including dildos, penisators, vibrators, penis rings, erection enlargement or prolonging creams or other preparations or an establishment with a segment or section devoted to the sale or display of such materials.

Substantial or significant portion shall mean at least that portion of:

(i) retail sales accounting for at least twenty-five percent of gross sales, or;

(ii) merchandise accounting for at least twenty-five percent of total merchandise available for sale, or;

(iii) shelf space and display space which when combined is in excess of eighty (80) square feet.

; or act in relation thereto.

Planning Board

Article 22. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, and/or borrow a certain sum of money to fund the repair and refurbishment of the property known as "The Old North Town Hall"; or act in relation thereto.

Petition

Article 23. To see if the Town will vote to place a two year stay on the previous town meeting decision to sell or transfer the property known as "The Old North Town Hall". The two year time period would start at the close of the fall annual town meeting.

Petition

Article 24. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, and/or borrow a certain sum of money to fund the repair and refurbishment of the Freeman Lake dam and spillway; or act in relation thereto.

Petition

Article 25. To see if the Town will vote to amend the General By-laws, Article VII, Miscellaneous by adding the following Section 15 Prohibition of Feeding Waterfowl:

1. It shall be prohibited and unlawful for any person to feed waterfowl in a residential zone.

2. The Health Department shall be authorized to enforce this By-Law pursuant to Article 1 of the Town of Chelmsford By-laws.

3. The fine for each violation of this section shall be $5.00. Each day such violation is committed, or permitted to continue, shall constitute a separate offense and shall be punishable as provided in Article 1 of the Town of Chelmsford By-laws.

; or act in relation thereto.

Petition

Article 26. To see if the Town will vote to amend the General By-laws, Article VI, Police Regulations, by adding the following Section 24, Graffiti:

1. Removal required; duty to maintain premises.

   Graffiti is hereby determined to constitute a public nuisance and injurious to neighborhood property, and the public health, safety, and welfare. It shall be unlawful for any person, partnership, or corporation, owning any premises to permit, allow to remain, or fail to remove any unsightly condition commonly referred to as graffiti. The definition of graffiti being: "Any unauthorized defacing, marring, or damaging by the spraying of paint, marking by paint, chalk, dye, or similar substance, on any building, motor vehicle, bridge, rock, culvert, pole, sign, playground which is in public view."

2. Notice to remove.

   Whenever the Chelmsford Police Department becomes aware of graffiti on any structure or improvement within the Town, they shall give notice to remove any such graffiti therefrom. Such notice shall be sent registered mail, return receipt requested, to the owner of record in the Assessor's Office and have substantially the following form:

Notice to Remove Graffiti From
Structures or Improvements
To the Owner Hereinafter Described

YOUR ATTENTION IS HEREBY DIRECTED to the provisions of Article VI, Section 24, of the General By-laws of the Police Regulations of the Town of Chelmsford, Massachusetts, on file in the office of the Town Clerk in Town Offices.

Pursuant to the provisions of said sections, you are hereby notified that graffiti exists on premises specifically described at _____ which injures neighboring property and the public health, safety, and welfare. You are therefore notified at once, and in any such event within thirty (30) days from the date of this notice, to remove said unsightly conditions from the property and thereafter to keep the said property free therefrom.

3. Penalty.

The penalty for failure, neglect, or refusal to repair or abate the nuisance within thirty (30) days period shall be $50.00 for each offense. Each day that such violation continues shall constitute a separate offense.

; or act in relation thereto.

Board of Selectmen

10/2/96

Article 27. To see if the Town will vote to amend the General By-laws, Article II, Town Meeting, Section 4, Procedures, 4.1 Order of Procedure of Motions by the rules considering a Motion to Adjourn to a Certain Time, in order to restrict reconsideration of that motion (as follows):

Current By-Law:

Article II. Town Meeting

. . . Section 4 Procedures

4.1 Order of Precedence of Motion - At all sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

Order of Precedence of Motions

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) **Adjourn at or to a certain time**	**Yes**	**Yes**	**Yes**	**Yes**	**Majority**
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) Reconsider	Yes*	Yes	No	Yes	Majority
g) Lay on or Take from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) Limit of Extend Debate	No	No	Yes	Yes	2/3
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

* Note: The privileged motions marked by an asterisk may interrupt the speaker.

Proposed By-Law:

Article II. Town Meeting

. . . Section 4 Procedures

4.1 Order of Precedence of Motion - At all sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

Order of Precedence of Motions

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) **Adjourn at or to a certain time**	**Yes**	**Yes**	**Yes**	**No**	**Majority**
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) Reconsider	Yes*	Yes	No	Yes	Majority
g) Lay on or Take from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) Limit of Extend Debate	No	No	Yes	Yes	2/3
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

* Note: The privileged motions marked by an asterisk may interrupt the speaker.

; or act in relation thereto.

Town Moderator

10/2/96

Article 28. To see if the Town will vote to amend the General By-laws, Article II, Town Meeting, Section 4, Procedures, 4.1 Order of Procedure of Motions by the rules considering a Motion to Reconsider, in order to restrict reconsideration of that motion (as follows):

Current By-Law:

Article II. Town Meeting

. . . Section 4 Procedures

4.1 Order of Precedence of Motion - At all sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

Order of Precedence of Motions

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) Adjourn at or to a certain time	Yes	Yes	Yes	Yes	Majority
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) **Reconsider**	**Yes***	**Yes**	**No**	**Yes**	**Majority**
g) Lay on or Take from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) Limit of Extend Debate	No	No	Yes	Yes	2/3
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

* Note: The privileged motions marked by an asterisk may interrupt the speaker.

Proposed By-Law:

Article II. Town Meeting

. . . Section 4 Procedures

4.1 Order of Precedence of Motion - At all sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

Order of Precedence of Motions

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) Adjourn at or to a certain time	Yes	Yes	Yes	No	Majority
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) **Reconsider**	**Yes**	**Yes**	**No**	**Yes**	**Majority**
g) Lay on or Take from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) Limit of Extend Debate	No	No	Yes	Yes	2/3
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

* Note: The privileged motions marked by an asterisk may interrupt the speaker.

; or act in relation thereto.

Town Moderator

10/2/96

Article 29. To see if the Town will vote to amend the General By-laws, Article II, Town Meeting, Section 4, Procedures, 4.1 Order of Procedure of Motions by the rules considering a Motion to Limit of Extend Debate, in order to restrict reconsideration of that motion (as follows):

Current By-Law:

Article II. Town Meeting

. . . Section 4 Procedures

4.1 Order of Precedence of Motion - At all sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

Order of Precedence of Motions

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) Adjourn at or to a certain time	Yes	Yes	Yes	Yes	Majority
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) Reconsider	Yes*	Yes	No	Yes	Majority
g) Lay on or Take from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) **Limit or Extend Debate**	**No**	**No**	**Yes**	**Yes**	**2/3**
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

* Note: The privileged motions marked by an asterisk may interrupt the speaker.

Proposed By-Law:

Article II. Town Meeting

. . . Section 4 Procedures

4.1 Order of Precedence of Motion - At all sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

Order of Precedence of Motions

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) Adjourn at or to a certain time	Yes	Yes	Yes	Yes	Majority
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) Reconsider	Yes*	Yes	No	Yes	Majority
g) Lay on or Take from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) **Limit or Extend Debate**	**No**	**No**	**No**	**Yes**	**2/3**
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

* Note: The privileged motions marked by an asterisk may interrupt the speaker.

; or act in relation thereto.

Town Moderator

10/2/96

Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

Given under our hands this 1st day of October, 1996.

BOARD OF SELECTMEN OF THE TOWN OF CHELMSFORD

Peter V. Lawlor , Chairman

Susan J. Gates , Vice Chairman

William F. Dalton, Clerk

Stuart G. Weisfeldt

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
ANNUAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Town Meeting of October 21, 1996:

Thursday, October 24, 1996 at 7:30 p.m.

Monday, October 28, 1996 at 7:30 p.m.

Thursday, October 31, 1996 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meetings are concluded.

Pursuant to General By-laws Article II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. October 4, 1996

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Building Gymnasium, Harrington School Gymnasium, Harrington School Gymnasium, Westlands School Cafetorium, Byam School Cafetorium, Westlands School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Building Gymnasium, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

A True Copy Attest,

William E. Spence,
Constable

10/2/96

ANNUAL TOWN MEETING
October 21, 1996

The Annual Town Meeting was called to order at the Senior Center, at 7:30 PM by the Moderator Dennis E. Mchugh, who recognized the presence of a quorum. There were 150 Town Meeting Representatives present. The Moderator then announced that the Chelmsford Middle School Band, directed by Robert Thurlow and Evan Williams, which consisted of the Parker and McCarthy Schools grades 7 and 8 would play the Star Spangle Banner. This was followed with the Body saluting the flag.The Moderator went over the rules and regulations and pointed out the locations of the fire exits within the hall. He made further announcements regarding the date and time scheduled for celebrating Halloween, and that absentee ballots were available at the Town Clerk's Office for the November 5th election.

The Moderator asked for a moment of silence in honor of Selectman and Town Meeting Representative, Thomas J. Welch who passed away on August 2. And for Walter Lewis who had just died last Friday October 18, who was a former member of the Finance Committee during the 70's.

Selectman Peter V. Lawlor moved that the reading of the Constable's return of the warrant be waived. Motion carried, unanimously. Selectman Peter Lawlor moved that the reading of the warrant as posted be waived. Motion carried, unanimously. The Moderator asked permission from the Body to allow non resident Stu Roberts, Architect for the Library project under Article 6 to address the meeting when the time came. Motion carried, unanimously.

Under Article 1 Selectman Peter V. Lawlor moved to hear reports of the Town Officers and Committees.

James Creegan, Chairman of the Master Plan Committee, gave a brief progress report of the Committee. He said that the Committee has successfully completed inventory, analysis and vision statements (input from three public meetings). Completed a draft of means for attaining the vision. Currently in process of defining an implementation plan. The next step is to finalize a Master Plan Report and Implementation Plan, which will be brought forward to the Representatives at the Spring 1997 Town Meeting for approval.

Town Manager Bernard Lynch gave a report regarding the status of the articles that were approved at the Spring Town Meeting. He went over his plans for the use of free cash that he would be presenting in the upcoming articles. He presented a five year comprehensive implementation plan.

The Moderator then announced that Hal Matzkin, Beverly Koltookian, and John Morrison had resigned as members of the Finance Committee. He thanked them for their years of dedication and welcomed to the Board new members Sue Olsen, Claire Jeannotte, and Connie O'Neil.

Under Article 2 Town Manager Bernard Lynch moved that the Town vote to rescind a portion of the Golf Course Authorization to borrow funds under Article 12 of the Special Town Meeting held on May 4, 1995, in the amount of $1,190,000.00.

Town Manager Bernard Lynch explained that the Town paid cash for the purchase of the course so there presently isn't any need to borrow the funds. Jim Doukszewicz questioned if

there was still pending litigation. The Town Manager said that there was, but it was felt that fair purchase price had been made. The article to borrow should be remove for bonding purposes,it does not make good financial sense to carry it. If more money is needed then he would bringitback to the body or raise it as a court settlement if necessary. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands,motion carried, unanimously.

Under Article 3 Chairman of the Sewer Commission, John Emerson Jr, moved that the Town vote to rescind the appropriation and borrowing authority under Article 16 of the Annual Spring Town Meeting in June of 1990 for the purpose of designing and constructing sewers in certain designated areas.

Chairman of the Sewer Commission John Emerson explained that now that the Town voted last Spring to Sewer the whole Town, this article is not necessary. The monies needed are now included in the amount requested at the Spring Town Meeting. The Finance Committee recommended the article. The Board of Selectmen unanimously recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

Under Article 4 Town Manager Bernard Lynch moved that the Town vote to transfer the sum of $250,000. from Free Cash to the Stabilization Fund.

The Town Manager explained that this is part of his ongoing goal to raise the Stabilization fund to be 5% of the operating budget. If passed the account will have $2.5 million dollars set aside which can be drawn on in the future. The Finance Committee recommended the article. The Board of Selectmen unanimously recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

Glenn Thoren moved to take Article 8 out of order in order. His purpose was to amend the figure requested by increasing it and to fund the requested increase with monies from Article 5, which if passed would then reduce the requested amount for article 5. The Finance Committee does not recommend taking the article out of order. The majority of the Board of Selectmen do not recommend taking the article out of order. Dennis Ready made a point of order. He felt that article 5 should be tabled until a certain time rather then taking any articles out of order. The Moderator agreed to this solution, as did Glenn Thoren. Therefore the Moderator asked for a show of hands on the motion to take article 8 out of order. Motion defeated.

The Moderator then advised Dennis Ready to recommend a certain time to table article 5 to. Dennis Ready moved to table Article 5 to be heard at the conclusion of Article 24 before the start of Article 25. The Finance Committee supported the motion to table. The Board of Selectmen did not. The Moderator asked for a show of hands, motion carried.

NOTE: SEE THE OCTOBER 24TH MEETING FOR ARTICLE 5

Under Article 6 Town Manager Bernard Lynch moved that the Town vote to appropriate the sum of $4,832,843, this amount to be reduced by approximately $1,832,843 of state Library grant assistance, for the purpose of constructing, an addition to and remodeling, reconstructing or making extraordinary repairs to the Adams Library, including original equipment and furnishings related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow $3,000,000 under General Laws Chapter 44, Section 7; that the Board of Selectmen is authorized to contract for and expend any

federal or state aid available for the project; and that the Town Manager is authorized to take any other action to carry out this project.

Town Manager Bernard Lynch explained the article. He explained that at the Spring Town Meeting the Representatives had voted to authorize the Board of Library Trustees to pursue the avenue necessary for obtaining a state grant for the purpose of putting an addition onto the present Adams Library. If awarded then the Trustees would return to the Fall Town Meeting requesting the additional funds necessary to complete the project. The State awarded the grant to the Town, it was one of the largest amounts awarded. Construction must begin in March of 1997 or the Town will lose the grant. The next step is to authorize the borrowing of the money needed to complete the project, which is the figure of $3,000,000. He asked the Chairman of the Library Trustees Jaci Matzkin to come forward and further explain. Jaci Matzkin gave a slide presentation to the Body which showed the present condition of the Adams Library. And the areas needed for improvement. One major issue is the need to comply with the ADA Act. For the past few years, the Town was able to obtain a waiver, however the grace period has run out and the Town will soon be forced to comply. In order to do this the Town would need to spend $750,000 which will result in eliminating much needed space and the lost of books. The new addition will address the required entrance specifications. In the Fall of 1995 a $6.5 million dollar project had been designed and presented to the Town's people. A Special Election was held and a question was put forth requesting that the funding for this project be done through an override expenditure. The question was defeated and the project dropped. In the Spring of 1996 after the Representatives agreed to let the Trustee's pursue another grant. A new design was submitted. All the concerns from the previous project were addressed and considered in the new project. Stu Roberts the Architect for this project from the firm of A. Anthony Tappe' and Associates, came forward and explained the project. He showed a compact, efficient design that blended well with the present building. The parking issue was addressed by adding 103 additional spaces, and the Pink house would stay. The Town Manager explained that the cost would be $30.00 per household for ten years. The Town can pay for the project without an override. Questions were asked by the Representatives. John Wilder wanted to know if there was going to be an increase in maintenance and utility cost. The Manager explained that because it will basically become a new facility the maintenance cost will be reduced but the utility costs will increase because of the increase in size and usage of lights, computers. The Traffic issue was brought up and the Town Manager explained that the DPW Director looked over the plans presented and felt that this would improve the present flow of traffic. There will be no entrance off of Adams Ave as there is presently. This will be eliminated and entrance and exiting will be done in front of the Library on Boston Road. What will the pink house be used for. Presently it will be used for storage possible rental space in the future. The intent is to keep it in the Town's hands for control of the area. Questions were asked concerning the handicap accessibility issue. Town Counsel John Georgio explained that the Town could be opened for law suits if it doesn't soon comply. Richard Allison wanted to conduct a role call vote. The Moderator explained that at this time the Body was in the question and answer mode. When the time came for a vote, then the request should be made. Kit Harbison wanted to know what the results would be if this wasn't voted. Jaci Matzkin explained that the Trustee's would have to start all over again. The Town would lose the grant money, it would go to another town and Chelmsford would go to the bottom of the list. George Merrill wanted to know why the handicap issue wasn't address in the past. He felt that this was being used as a excuse to force the spending of the monies for this project even after the Towns people had voted no on the project last year. It was explained that because of the expense the Trustee's felt it made more sense to combine the need for more room plus accessibility all at once. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was in favor of the article. The majority of the

Selectmen were in favor of the article. Selectmen Peter Lawlor explained the Boards recommendation. They felt that there is a definite need, it's affordable, and the public support is there. Selectman William Dalton expressed the fact that the people voted on the issue last year to spend $6.7 million dollars, they should have the opportunity to vote again on whether or not to spend any money for this project.. More discussion took place. John Coppinger expressed concerns of the present site. He then moved to amend the article by adding the following wording to the end of the main motion. "Provided that this vote shall not take effect until the voters approve a debt exclusion for this project pursuant to general laws Chapter 59, Section 21C(M)". The Finance Committee did not recommend the amendment. The majority of the Board of Selectmen did not recommend the amendment. Barbara Scavezze spoke against the amendment and read a letter to the Body from a person unable to get inside the library. Glenn Thoren read a quote from the Federalist papers as to why he felt that the issue should go back to the people for a vote. The Town Manager then read to the Body information from the Federalist papers stating examples on why the Town Meeting Representatives are responsible for making the decision. Dennis King and Judy Olsson, non Town Meeting Representatives spoke in favor of the library expansion, both stating personal reasons. Dennis Ready moved the question to stop further debate on the motion to amend, motion carried. The Moderator then asked for show of hands on the motion to amend, motion defeated. More discussion. Ralph Hickey the ADA Coordinator for the Town said it is against the law not to have a public building fully accessible for the public use. Brad Emerson moved the question . The Moderator asked for a show of hands, motion defeated. Brian Latina spoke against the article. BobJoyce spoke against the article, he felt it should go back to the ballot. John Emerson spoke in favor and asked that the Body support the article. Dennis Ready moved the question. The Moderator attempt a show of hands, which left the Chair in doubt, the following tellers came forward and a hand count was taken: Dorothy Frawley, John Maleski, Patricia Plank, Lucy Simonian. Result: Yes 121 No 18 2/3's 93 motion carried to stop debate. The Moderator acknowledged Richard Allison's request for a roll call vote on the article. Forty Representatives in favor is needed in order to conduct a roll call vote. He asked for a show of hands and instructed the tellers to take a hand count. The result was 129 Representatives in favor. The Moderator explained that the Town Clerk would read in Precinct order each Representative alphabetically by last name. They are to respond Yes, No or present. If there is no response the Representative will be marked absent. At the end of the reading The Clerk will repeat the precinct number and ask if any Representative wishes to change their vote, they will be allowed to do so then. The Town Clerk proceeded to read the names.
The final result was Yes 126 No 24 and 1 present, the motion passes. **NOTE**: (The actual roll call vote is on file in the Town Clerk's Office)

Under Article 7 Town Manager Bernard Lynch moved that the Town vote to appropriate the sum of $100,000, for the cost of architectural services for plans and specifications for an addition to the existing Police Station at 230 North Road, Chelmsford, Massachusetts: that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow $100,000 under Massachusetts General Laws, Chapter 44, Section 7 (21): and that the Town Manager be authorized to take any other action necessary to carry out this project.

The Town Manager explained the article. This is only for designing plans. The present Police Station is in need for more room. He asked the Police Chief to come forward and explain what the anticipated space would be used for. Police Chief Armand Caron said that the needs are for more training space, interrogating space, witness space, storage space, and appropriate jail cells. He cited that the previous week a rape victim had to be interview in the garage because

there isn't an appropriate private area where this type of interviewing can be done. He said surrounding towns are now starting to expand their Police Stations. One Town is building a brand new station. Our station is over thirty years old. Repairs are ongoing. There is a definite need for improvements. A discussion followed. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was in favor of the article. The Board of Selectmen recommended the article. The Moderator attempted a vote by a show of hands. A 2/3's vote is required. The tellers came forward and a hand count was taken: Yes 125 No 13, 92 is 2/3's the motion carried.

Barry Balan moved to adjourn the Town Meeting until Thursday October 24th, 1996, at 7:30 PM to be held at the Senior Center. The Finance Committee and the Board of Selectmen recommended the motion to adjourn. The Moderator asked for a show of hands, motion carried, unanimously. The Meeting adjourned at 10:50 PM

_____ _____

Dennis E. McHugh, Moderator Mary E. St.Hilaire, Town Clerk

10/21/96
Roll Call
Art 6

TOWN MEETING PREPRESENTATIVES
PRECINCT 1

			MEETING DATES							
Abate	Joseph P.	181 Littleton Rd #417	N							
Allison	Richard G.	189 Littleton Rd #48	Y							
Balan	Barry	54 Boston Rd	Y							
Brough	Kathryn	14 High St	Y							
Currier	Marian D.	181 Littleton Rd #404	Y							
Good	James P.	4 Burning Tree Ln.	Y							
Hazel	Michael A.	56 Bridge St	Y							
Joyce	Robert P.	103 Turnpike Rd	N							
Kaplan	Cynthia J.	22 Bartlett St	Y							
Kilburn	Sandra A.	11 Golden Cove Rd	N							
Lee	Linda M.	12 Chatham Rd	Y							
Lewin	Nina S.	1 Boyds Ln	Y							
Martinez	Sandra B.	1 Carter Dr	N							
McCarthy	Elizabeth A.	48 Bartlett St	Y							
McDougall	Frances T.	11 Dawn Dr	Y							
Rook	Jean B.	41 Westford St	Y							
Spence	William E.	91 Billerica Rd	Y							
Wetmore	Ronald W.	247 Acton Rd	A							
TOTAL										

Y - 13 N - 4 A 1

TOWN MEETING REPRESENTATIVES
PRECINCT 2

			MEETING DATES							
Bell	Barry T.	5 Mansur St	Y							
Clark	Bernard V.	11 Sharon Ave	Y							
Conlin	Francis M	14 John St	A							
Curran	Patrick Mike	54 Sherman St	N							
Dalton	Linda H.	12 Dartmouth St	N							
Dalton	William F.	12 Dartmouth St	N							
Doukszewicz	James R.	917 Wellman Ave	Y							
Foster	Bonnie I.	31 Groton Rd	A							
Foster	Jesse C.	31 Groton Rd	Y							
Greenman	George C.	143 Middlesex St	N							
Griffin	William P.	132 Tyngsboro Road	Y							
Harper, Sr	Bruce J.	9 Harvard St	N							
Merrill	George L.	108 Dunstable Rd	N							
Miskell	Francis G.	38 Groton Rd	N							
Norkunas	Stanley W.	58 Church St	Y							
O'Shea	James F.	96 Dunstable Rd	Y							
Stallard	Jeffrey W.	103 Tyngsboro Rd	P							
Welch	Mary Jo	31 Kennedy Dr	Y							
TOTAL										

TOWN MEETING REPRESENTATIVE
PRECINCT 3

			MEETING DATES							
Abely	George F.	87 Swain Rd	Y							
Boermeester	James P.	99 Richardson Rd	Y							
Curran	Michael F.	58 Crooked Spring Rd	Y							
Emerson, Jr	John P.	8 Loiselle Ln	Y							
Fisher	Kathryn M.	2 Kelshill Rd	Y							
Garrahan	Christopher T.	4 Maynard Circle	Y							
Hutchinson	Cathy A.	233 Main St	Y							
Jerome	Adrienne M.	118 Crooked Spring Rd	Y							
Knight	Nancy J.	29 Stonehill Rd	Y							
Lambert	D. Lorraine	91 Main St	Y							
Matzkin	Harold I.	E24 Scotty Hollow Dr	Y							
Matzkin	Jaclyn D.	E24 Scotty Hollow Dr	Y							
McEnany	Henry R.	B18 Scotty Hollow Dr	Y							
Merriam	Carol W.	8 Lovett Ln	Y							
Moran	Thomas E.	19 Dennison Rd	Y							
Olsen	Susan M.	140 Groton Rd	Y							
Perry	Roy J.	8 Dennison Rd	Y							
Wright	Douglas L.	256 Dunstable Rd	Y							
TOTAL										

TOWN MEETING REPRESENTATIVES
PRECINCT 4

			MEETING DATES							
Allen	Linda J.	9 Clancy St	Y							
Blomgren	Dolores A.	16 Oak Knoll Rd	Y							
Coppinger	John G.	20 Ansie Rd	N							
Firth, Jr	Thomas E.	15 Oak Knoll Ave	A							
Hibbard	John R.	50 Manning Rd	Y							
Johnson, Jr	Henrick R.	53 Stonegate Rd	Y							
Latina	Brian P.	15 Jessie Rd	N							
Manahan	Helen A.	26 Muriel Rd	Y							
Martin	William D.	25 Empire St	Y							
Morrison	Joan D.	130 Turnpike Rd	Y							
O'Sullivan	Cheryl L.	10 Beaulieu St	Y							
Pacht	Gerald W.	44 Carlisle St	Y							
Redican	Kathleen M.	80 Carlisle St	Y							
Ripsom,Sr.	George A.	33 Porter Rd	Y							
Seidel	Carl W.	25 Ruthellen Rd	Y							
Sousa Jr	John B.	88 Carlisle St	Y							
St.Hilaire	Matthew P.	7 Gail St	Y							
Sullivan,III	Daniel J.	4 Shedd Lane	Y							
TOTAL										

TOWN MEETING REPRESENTATIVES
PRECINCT 5

			MEETING DATES							
Carmeris	Dean	20 Higate Rd								
Curran	Kathleen	5 Kenwood St								
Ferreira	Jennifer Renna	360 Littleton Rd #H-12								
Hall	Robert D.	35 Maple Rd								
Hillman	Kathllen F.	94 Proctor Rd								
Mallette	Stephen J.	13 Wedgewood Dr								
Marcks	Wendy C.	13 Dakota Dr								
McLaughlin	David P.	118 Garrison Rd								
Richards, Jr	Leonard	2 Hart Rd								
Sockol	Michael N.	360 Littleton Rd								
Stevens	Jonathan A.	126 Robin Hill Rd								
Thomas, Jr	W. Allen	374 Littleton Rd								
Thoren	Evelyn S.	18 Pinewood Rd								
Thoren	Glenn R.	18 Pinewood Rd								
Ward	Barbara	15 Pinewood Rd								
Wilder	Bonnie G.	3 Higate Rd								
Wilder	John W.	3 Higate Rd								
Wojtas	Patricia	24 Elm St								
TOTAL										

TOWN MEETING REPRENTATIVES
PRECINCT 6

			MEETING DATES							
Driscoll	Christopher J.	2 Moonbeam Ave	A							
Dubner	Janet G.	46 Dalton Rd	Y							
Frantz	Daniel R.	34 Miland Ave	Y							
Frantz	Mary E.	34 Miland Ave	Y							
Gruber	Martin A.	8 Dalton Rd	Y							
Hadley	Steven B.	2 Fern St	Y							
Hall	Howard J.	5 Hillcrest Dr	A							
Lawlor	Peter V.	50 Dalton Rd	Y							
Lekas	Evangelos T.	50 Dalton Rd	Y							
Marshall	Edward S.	16 Colonial Dr	Y							
Marshall	M. Elizabeth	16 Colonial Dr	Y							
McLachlan	David J.	51 Brentwood Rd	Y							
Moores	Arthur J.	23 Steadman St	A							
Nebalski	Ralph M.	10 Sunset Ave	A							
Paresky	Marianne J.	10 Smith St	Y							
Parquette	Michael R.	20 Sylvan Ave	Y							
Smith	Charles F.	6 Scott Dr	Y							
Warshafsky	Cheryl M.	215 Chelmsford St	Y							
TOTAL										

V 15 D - 0 A - 4

TOWN MEETING REPRESENTATIVES
PRECINCT 7

			MEETING DATES							
Carpenter	David A.	131 School St	A							
Doolan, III	Leonard W.	52 Amble Rd	Y							
Dulchinos	Peter	17 Spaulding Rd	Y							
Emerson	Bradford O.	30 Lantern Ln	Y							
Fitzpatrick	Kathleen S.	15 Footpath Rd	Y							
Gates	Susan J.	7 Trotting Rd	Y							
Gleason	Paul F.	30 Pine Hill Rd	Y							
Hass	Judith	27 McIntosh Rd	A							
Hayward	Dwight M.	59 Amble Rd	Y							
Jeannotte	Clare	3 Hawthorne Ln	Y							
Miethe	Francis J.	10 Thomas Dr	Y							
Morabito	Linda G.	28 Clover Hill Rd	Y							
Ready	Bernard A.	31 Clover Hill Rd	Y							
Ready	Dennis J.	2 Abbott Ln	Y							
Ready	Karen D.	2 Abbott Ln	Y							
Scavezze	Barbara J.	3 Mountain Laurel Dr	Y							
Stark	Carol A.	4 Hostler Rd	Y							
Stubbs	Jonathan C.	121 School St	Y							
TOTAL										

TOWN MEETING REPRESENTATIVES
PRECINCT 8

			MEETING DATES							
Abbott	John E.	384 North Rd	N							
Boss	Cheryl Adkins	3 Sycamore St	Y							
Cleven	Walter A.	4 Arbutus Av	Y							
Curry	William C	15 Overlook Dr	Y							
Day	Richard J.	6 Merilda Av	Y							
Fitzgerald	Marie M.	25 Garland Rd	N							
Gervais	Alexander W.	5 Arbutus Ave	Y							
Harbison	Katherine C.	3 Thoreau Dr	Y							
Hulslander, Jr	Ralph J.	74 Smith St	N							
Neild	Kathleen A.	5 Lafayette Terrace	N							
Poulten	Bernice F.	16 Berkeley Dr	A							
Poulten	Gail E.	16 Berkeley Dr	Y							
Poulten	Samuel	16 Berkeley Dr	Y							
Sheehy	Jacqueline A.	9 Gregory Rd	Y							
Sheehy	John F.	9 Gregory Rd	Y							
Taranto	Angelo J.	8 Charlemont Ct	Y							
Villano	Deborah	10 Gregory Rd	Y							
Weisfeldt	Stuart G.	8 Leitrim Ln	Y							
TOTAL										

TOWN MEETING REPRESENTATIVES
PRECINCT 9

			MEETING DATES							
Abbott	Eleanor D.	8 Ranch Rd	Y							
Barre	Francis J.	3 Sandra Dr	Y							
Cady	Edward A.	10 Crockett Dr	Y							
Christiano	C. Thomas	6 Drew Circle	Y							
Consalvi	Steven Arthur	5 Kristen Dr	Y							
Elias	Donald L.	28 Regina Dr	Y							
Elias	Phyllis M.	28 Regina Dr	Y							
Fudge	Margaret A.	255 North Rd	Y							
Fudge, Jr	John S.	255 North Rd	Y							
Hamill	Barry K.	55 Clarissa Rd	Y							
Harrington	John G.	149 Boston Rd	Y							
Harrison	Francis X. Sr	15 Marina Rd	N							
Hawking	Robert J	21 Algonquin Rd	Y							
Morse	Robert C.	45 Clarissa Rd	Y							
Peterson	Frank R.	6 Laredo Dr	Y							
Piper	Charles A.	4 Clarissa Rd	Y							
Sexton	Anne Lise	4 Alamo Cir	Y							
Young	James W.	10 Mt. Auburn St	Y							
TOTAL										

ADJOURNED ANNUAL TOWN MEETING
October 24, 1996

The Annual Town Meeting was called to order at the Senior Center, at 7:35 PM by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 128 Town Meeting Representatives present.

The Moderator explained that the Town Nurse, Judy Dunigan was available for answering any questions concerning article 8, however a vote would be needed from the Body in order to allow her to address the meeting. The Moderator asked for a show of hands, motion carried, unanimously.

Under Article 8 The Town Manager explained that this was a joint article between the himself and the Board of Health . It was to allow the Board of Health to set up a revolving account in order to administer a Hepatitis B program to a certain population within the Town. A revolving account is allowed through the State Law, however authorization must be voted on. A limit as to how much money can be in the account must also be voted. He stressed that there is not any expenditure of any town money, the amount shown is the limit to the amount of funds allowed. He asked Judy Dunigan the Town Nurse to come forward and further explain the purpose of the program. Judy Dunigan explained that Hepatitis B ison the increase throughout the country. The Chelmsford Board of Health would offer these shots at a nominal cost of $10.00 per shot, $30.00 for the series. The series could cost anywhere from $120.00 to $150.00 if done outside the Board of jurisdiction. This would be offered for the students in grades 7th through 12th. The State Department of Public Health says that 6th grade students or ages 11 - 12 must be given the shots free of charge. It was felt that a age limit had to be set and the 6th grade was pre-puberty that is why that age group will be given the shot free. The State has also required that all children born after January 1st of 1992 be given the shot at birth, and that all children entering kindergarten in September of 1996 must have had the shot. The School Department Nurses and the Principal of the High School have all been extremely cooperative with this situation. The Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen unanimously recommended the article. Jeffrey Stallard asked if the Town's public safety personnel have had the shots? The Town Manager explained that the Police, Fire, DPW, and Sewer personnel all have had the shots. Glenn Thoren moved to amend the article by amending the second sentence "to provide hepatitis B vaccination to all students grades 7 through 12 at no cost to any family and requesting a voluntary donation of $30.00 per vaccination to help defray the costs and to provide sufficient funding limited to $60,000. to provide the vaccination series. Replace $7,500. in the last sentence with $60,000." He felt even though the cost of $30.00 isn't that much, for a family with financial constraints it may be a problem.. Everyone should be allowed to receive the series of shots even if they are not being able to pay for them. Judy Dunigan explained that there is a built in mechanism in the price offered, which would allow her to waive the fee when necessary. The Moderator asked for the Town Counsel's opinion on the motion to amend. Town Counsel John Georgio said that the motion doesn't state where the required funding of $60,000. is going to come from. The Finance Committee did not recommend the amendment. The majority of the Board of Selectmen did not recommend the motion to amend. Town Counsel also noted certain times the warrant article does differ from the motion, however as long as the scope of the content is the same this is fine, but in this case it was never mentioned that any money was going to be raised or transferred so the amendment could be considered out of order. Based on Town Counsel's comments, Glen Thoren withdrew his amendment.

The Moderator asked for further discussion, hearing none he asked for a show of hands on the article as presented, motion carried, unanimously. The article reads as follows:

Peter Dulchinos, member of the Board of Health, moved that the Town vote to authorize the revolving fund Massachusetts General Law Chapter 44, Section 53E ½ for the Board of Health for Fiscal Year 1997, the receipts to be credited to the fund shall be from the collection of fees from the implementation of a Hepatitis program. The Board of Health shall be authorized to spend money from the fund for the purpose of acquiring supplies and materials necessary for implementing a Hepatitis B program. Expenditures from the Hepatitis B Revolving Fund shall be limited to $7,500. during Fiscal Year 1997.

Under Article 9 Town Manager Bernard Lynch moved that the Town vote to transfer the sum of $17,271. from Free Cash to pay bills of previous fiscal years.

The Town Manager presented a list of the departments and the amounts required to pay. Personnel Department $1,692.49 Injured on Duty - Police. $8,644.51 Injured on Duty -Fire Public Works Department $5,528.00 - Tree Work Veteran's Benefits $1,406.00 Medical. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

Under Article 10 Town Manager Bernard Lynch moved that the Town vote to transfer the sum of $134,152 from free cash to the School Department, said funding coming from Medicaid reimbursements.

The Town Manager explained that this is money that the School Department collects from the Federal Government for Medicaid reimbursements for certain Special Education costs. The agreement has been that they go after the money and once received it is to go towards the operation of the School Budget. The Finance Committee recommended the article. The Board of Selectmen unanimously recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

Under Article 11 Town Manager Bernard Lynch moved that the Town vote to amend the Fiscal Year 1997 operating budget as voted under Article 2 of the Annual Town Meeting held on April 29, 1996 by making the following changes:

Decrease Line Item #3, Chelmsford School Department, by $284,113 to $29,232,522.

Increase Line Item #5, Public Safety Personnel, by $12,000 to $5,756,879.

Increase Line Item #8, Public Works Expenses, by $100,000 to $3,272,787.

Decrease Line Items #16, Undistributed Expenses, by $55,000 to $5,236,000.

Decrease Line Item #18, Debt Interest, by $44,270.

And that the Town transfer and appropriate $100,000 from free cash to defray such changes.

The Town Manager explained the article. He presented a budget analysis which showed the original revenue and expenditure figures along with the above mentioned amended figures. He said that the his goal was to use free cash for areas that there was a public need for, and to

reduce the debt and interest and undistributed expense. However, most importantly apply a certain sum of money to reduce the tax rate. He explained to the School Department that he would work with them on the amount of money they would receive from the Town for the final funding of their budget. They would be given a certain amount. It was up to them to work out staying within that final budget figure. The Finance Committee recommended the article. The Board of Selectmen unanimously recommended the article. Mary Frantz, Chairman of the School Committee moved to amend the article. She explained that the members of the School Committee had different views on whether to submit an amendment to this article, a majority of the membership felt that an amendment should be submitted and it is as follows. Under Paragraph 2 decrease line item #3. Chelmsford School Department, by $102,710 to $29,413,925. and under Paragraph 7 "And that the Town transfer and appropriate $281,403 from free cash to defray such changes." She explained that the figures in this article and the previous article are less then the budget article approved at the Spring Town Meeting. She asked Dr Richard Moser the School Superintendent to explain further. Dr Moser explained that when planning the budget in order for the School year to begin in September, budget figures are put together and quesstimations are made in the amount of actual money needed. These figures are approved with the anticipation of funding from the State when the cherry sheet figures are available. The requested amount of $181,403 would still leave a difference of $43,558. from the original approved figure from the Spring Town Meeting. He presented a list of the 1996-97 Unfunded needs. There were five items that totaled $181,403. $20,848. Budget imbalance, $33,000 Negotiations, $15,555 - Reading teacher, $16,000 Technology Staff and $96,000 Classroom aides. If this proposed amendment isn't voted, then the Budget imbalance and the Negotiations figures were items that are a necessity. Cuts would be made within the final budget to meet these items. The other three items listed had been put on hold even after the Spring Town Meeting had approved them, therefore no additional staff had been hired, so no cuts will have to be made. He asked the Representatives to support the amendment, the School system has real needs and they're not being met. Questions were asked. James Doukszewicz asked where the additional money would come from if passed? The Town Manager explained from the money that was going to be used to reduced the tax rate. More questions and discussion took place. The Moderator asked for the Finance Committee's recommendation on the motion to amend. The Finance Committee including one abstention did not support the motion to amend. The Board of Selectmen did not recommend the amendment. School Committee Member, Judy Mallette, spoke in favor of the amendment citing that this was a one time commitment. The present budget doesn't meet the basic educational values. Fred Marcks, the Student Representative to the School Committee urged the Representatives to support the amendment. Dennis Ready moved the question to stop debate. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator asked for a show of hands on the amendment to the motion, motion defeated. He asked if there was a need for further debate, hearing none, he asked for a show of hands on the article as presented by the Town Manager, motion carried.

Under Article 12 The Moderator said that this article had been withdrawn. The wording in the warrant was: To see if the Town would vote to appropriate from Free Cash for the funding of negotiated collective bargaining agreements.

Under Article 13 Selectman Peter V. Lawlor, moved that the Town vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to convey in accordance ith Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in a certain parcel of land on Kensington Drive, shown as Lot 79 shown on Assessors Map 138, containing 3,600 square feet

more or less, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 04811, Page 0148.

The Town Manager explained that this is Town owned property at the end of Gail Street, with an assessed value of $1,200.00. The abutters have indicated an interested in purchasing the land. The Finance Committee was in favor of the article. The Board of Selectmen unanimously supported the article. The Moderator asked for a show of hands, motion carried unanimously.

Under Article 14 Town Manager Bernard Lynch moved that the Town vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to held for the purpose of conveyance, and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Laws Chapter 30B, for consideration to be determined, all right, title and interest, if any, held by the Town in a portion of a certain parcel of land located adjacent to 144 Littleton Road in Chelmsford, Massachusetts, shown as Assessor's Map No. 176, Parcel No. 15, containing 2,631 square feet more or less, as more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 2223, Page 140, and to authorize the Board of Selectmen to file a Home Rule Petition under Article 97 of the Massachusetts Constitution, if necessary.

The Town Manager explained that this was land that was originally given to the Town. this is a piece of a piece of property that is under the control of the Conservation Commission. A driveway goes across a portion of this land and this action is necessary in order to obtain a clear title. The Conservation Commission was in favor of the article. The property is valued at $400.00 and the Board of Selectmen will petition the Legislation for final approval. The Finance Committee recommended that article.. The Board of Selectmen unanimously recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

Under Article 15 The Moderator explained that the motion wasn't signed therefore not action will be taken on the article. The wording in the warrant was: To see if the Town will vote to transfer the care, custody, management and control of the following described parcel of land and easement to the Board of Selectmen to be held for the purpose of conveyance, and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Laws Chapter 30B, for consideration to be determined, all right, title and interest, if any, held by the Town in a portion of a certain parcel of land located adjacent to 20 Jensen Avenue in Chelmsford, Massachusetts, shown as Assessor's Map No. 95, Parcel No. 94, containing approximately 225 square feet more or less, and an access easement on a portion of the same certain parcel of land containing approximately 2,109 square feet more or less, as more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 2328, Page 249, and to authorize the Board of Selectmen to file a Home Rule Petition under Article 97 of the Massachusetts Constitution, if necessary.

Under Article 16 Town Manager Bernard Lynch moved that the Town vote to authorize the Town Manager to execute an inter municipal agreement between the Town of Chelmsford and the City of Lowell pursuant to Massachusetts General Laws Chapter 40 Section 4A for the purpose of operating and maintaining a traffic signal at the intersection of Drum Hill Road and Parkhurst Road.

The Town Manager explained that this is needed in order to comply with the newly installed traffic signal at the corner of Drum Hill and Parkhurst Rd. The Finance Committee

recommended the article.. The Board of Selectmen unanimously recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

Under Article 17 John Harrington moved that the Town vote to amend the Town of Chelmsford Zoning By-Law, Section 2110 Official Zoning Map as it pertains to a 1.394 acre portion of Parcel C, Meetinghouse Road, Chelmsford, Massachusetts containing 4.69 acres in total land, more or less, east of Crosby Lane and south of Interstate 495, said Parcel C being more fully described in Plan Book 165, Page 148 recorded with the Middlesex County North District Registry of Deeds, by changing the designation of said 1.394 acre portion of Parcel C from RB to CD - General Commercial District.

Attorney Douglas Hausler, explained that he represented J.C. Management Corp, which is the Parlee family here in Town. His client is constructing office buildings on Meetinghouse Rd. The land on which his project is being constructed has a zoning line of Residential Zone running through a portion of the project. Back in 1979 a note was made in the zoning to run the residential (RB) zone in that area back 600 feet from North Road When he appeared before the Planning Board with his current project, it was realized that a portion of the building would be in the RB zone which has different requirements, and couldn't be built in a residential zone. This change would keep the entire project under one zone. He felt that this was the actual intent of the zoning by-law, to use property lines as zoning lines. By setting a actual amount of feet you can and did cut a property in half with two different zones. He asked Kathy Howe, the Engineer for the project, from Howe surveying to come forward and show the project. She showed the building and the present zoning and how the proposed building would look once completed. Attorney Hausler said that the Conservation Commission approved the change, as did the Planning Board. George Merrill, member of the Historic Commission, questioned if this was near the Historic Site of the first Town Meeting? Attorney Hausler said it was explained to him that the site had been moved to the Greenwood property, however, his client would be willing to acknowledge this if it becomes an issue. Bob Joyce questioned why this was coming before the Representatives now, shouldn't it wait for the Master Plan? It was felt that it was better to deal with this now, then the proposed project could continue. The Master Plan may not be completed at the estimated time. The Moderator asked for the Planning Board's recommendation. Kim MacKenzie, Chairman of the Planning Board came forth and read the Boards' recommendation.

The Planning Board of the Town of Chelmsford held a Public Hearing on October 9, 1996 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on September 19, 1996 and September 26, 1996, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40 A, Section 5.

At the meeting on October 9, 1996 the proponents, residents and the Planning Board discussed the merits of this zoning by-law change. It is the opinion of the Planning Board that changing the zoning designation from RB to CD (General Commercial District) will maximize the use of the entire parcel and would result in a tax benefit to the Town . Therefore, in keeping with the general intent of the zoning by-laws in the development of the community, the Planning Board voted unanimously (5-0) (Mr Gilet not voting) to recommend this zoning change from RB to CD (General Commercial District) for a 1.394 acre portion of Parcel C at Meetinghouse Road.

The Moderator asked for the Finance Committee recommendation. The Finance Committee was in favor of the article. The Board of Selectmen unanimously recommended the article. More discussion took place. David McLachlan spoke against the article. Concerns about

traffic were discussed. Kathy Howe explained that traffic surveys had been taken and there would be no unnecessary effects on the level of service. The Moderator asked if there was any need for further debate, hearing none he asked for a show of hands, motion carried, unanimously.

Under Article 18 Robert Joyce moved that the Town vote to amend the Chelmsford Zoning By-law, Section 2110 Official Zoning Map as it pertains to certain parcels of land located northerly of Riverneck Road, easterly of Carter Drive and Cove Street, and southerly of Route 495, and being parcels of land shown on Assessors Map 107, Parcel 54, Map 108 Parcels 14 and 40 a portion of Map 109 Parcel 50, Map 109, parcels 53 and 54, and Map 110 Parcels 13 and 14, by changing the designation of those lots from IA to RB.

Attorney Joseph Johnson, representing the petitioner explained that the land in question is 36 acres surrounded on three sides by residential zone. Out of the 36 acres three acres are zoned residential and he would like to have the opportunity to develop this land as residential that is why he had petitioned for the change in zoning. Kim MacKenzie, Chairman of the Planning Board, gave the Board's recommendation.

The Planning Board of the Town of Chelmsford held a Public Hearing on October 9, 1996 on the above mentioned article after advertising a legal notice in the Lowell Sun on September 25, 1996 and October 2, 1996, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5.

At the meeting on October 9, 1996, the proponents, residents and the Planning Board discussed the merits of amending this zoning by-law. It is the opinion of the Planning Board that the change in zoning designation from IA to RB for certain parcels of land located northerly of Riverneck Road, easterly of Carter Drive and Cove Street and southerly of Route 495 would not be beneficial to the Town of Chelmsford. Therefore, in keeping with the general intent of the zoning by-laws in the development of the community, the Planning Board voted unanimously (6-0) Not to recommend the re-zoning of these parcels of land.

Kim MacKenzie went further on to say that the petitioner when he appeared before the Planning Board was not prepared, he did not have any plans or description of his intentions. The Finance Committee was against the article. The Board of Selectmen were against the article. Chris Garrahan of the Conservation Commission said that the Commission was not in favor, they had concerns. John Harrington of the Center Water District said that the Commissioners were concern about the water wells that are located next to the area in question and were against the article to rezone. The Moderator asked for further discussion, hearing none he asked for a vote by way of a show of hands, motion defeated.

Dennis Ready moved that the reading of Article 19 be waived. Motion carried, unanimously.

Under Article 19 Selectman Peter V. Lawlor moved that the Town vote to amend the Zoning By-law, Town of Chelmsford, Section 2420, by inserting the following sentence at the end of the section (Note: Language in bold print is new; all normal print presently appears in the Zoning Bylaw)

2420. *Extension or Alteration.* As provided in section 6 of Chapter 40A, G.L., a nonconforming single-or two-family dwelling may be altered or extended provided that doing so does not

increase the nonconforming nature of said structure and other pre-existing nonconforming structures or uses may be extended, altered, or changed in use on special permits from the Board of Appeals if the Board of Appeals finds that such extension, alteration, or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use. **Extension or alteration of nonconforming single-or two-family structures shall be allowed as of right, so long as such extension or alteration is within the existing footprint.**

Andrew Sheehan Land Use Co-ordinator representing the Board of Appeals explained that this was primarily a housekeeping article which resulted from a 1993 court case. The court ruled that extension of a nonconforming structure required a Special Permit by the Board of Appeals. Prior to this court case extensions of nonconforming structures were granted as a right. It is the intent of the article to return the procedure to the situation that it was prior to the court case. Which is to allow the Building Inspector to issue building permits for extensions of nonconforming structures without going to the Board of Appeals.

The Moderator asked for Kim MacKenzie to give the Planning Board's recommendation. Chairman of the Planning Board, Kim MacKenzie read the Board's recommendation to the body. The Planning Board of the town of Chelmsford held a Public Hearing on September 25, 1996 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on September 5, 1996, and September 12, 1996, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5.

At the meeting on September 25, 1996 the proponents, residents and the Planning Board discussed the merits of this zoning by-law change. It is the opinion of the Planning Board that the addition of the following wording at the end of 2420: "Extensions or alterations of non-conforming single or two family structures shall be allowed as of right, so long as such extension or alteration is within the existing footprint" will clarify the by-law and alleviate unnecessary Board of Appeals applications and allow building permits to be issued by the building Department. Therefore, in keeping with the general intent of the zoning by-laws in the development of the community, the Planning Board voted unanimously (6-0) to recommend the addition of the above mentioned language to the end of Section 2420 of the Chelmsford Zoning By-Law.

The Finance Committee recommended the article. The Board of Selectmen unanimously recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

Dennis Ready moved that the reading of Article 20 be waived. Motion carried, unanimously.

Under Article 20 Robert Morse of the Planning Board, moved that the Town vote to amend the Zoning By-law, Town of Chelmsford, Section 4600, Adult Entertainment Establishment, by inserting the following and deleting Section 4600 as it presently appears (NOTE: Language in bold print is new; all normal print presently appears in the Zoning By-Law):

"4600 Adult Entertainment Establishments

4610 PURPOSE It is the intent and purpose of this by-law to regulate adult entertainment establishments to promote the health, safety and general welfare of the eitizens of Chelmsford and to guard against adverse seeondary effeets on the youth of the Town. Furthermore it is the intent and purpose to establish reasonable and uniform regulations to prevent any deleterious loeation and eoneentration of adult entertainment establishments within the town, thereby redueing the adverse seeondary effeets from sueh adult entertainment establishments. The provisions of this bylaw have neither the purpose nor effeet of imposing limitations or restrietion on the eontent of any eommunieative materials. Similarly, it is not the intent nor effeet of this bylaw to restriet or deny aeeess by adults to sexually oriented materials proteeted by the First Amendment, or to deny aeeess by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effeet of this bylaw to eondone or legitimize the distribution of obseene material.

4620 Adult Entertainment Overlay Distriet Boundaries. The Adult Entertainment Overlay Distriet is established in addition to the Adult Entertainment (CX) Distriet. The Adult Entertainment Overlay Distriet Use Regulations shall be as herein deseribed in the Adult Entertainment Distriet.

4630 No adult entertainment establishment shall eommenee operations without first applying for and reeeiving a Special Permit from the Board of Appeals. Special Permits shall not be granted for an adult entertainment establishment if it is to be located less than one-thousand (1000) feet from:

(a) Another adult entertainment establishment;
(b) Residential uses;
(c) Public or private nursery schools,
(d) Public or private daycare centers;
(e) Public or private kindergartens;
(f) Public or private elementary schools;
(g) Public or private secondary schools;
(h) Playgrounds, **parks and public or private open spaee areas;**
(i) Religious institutions;

4640 The Board of Appeals may waive the one-thousand foot restrictions contained in section 4630 by special permit if it finds:

(a) That the proposed use will not be contrary to the public interest or injurious to nearby properties and that the spirit of this bylaw will be observed;
(b) That the proposed use will not enlarge or encourage the development of a "skid row" area:
(c) That the establishment of an additional regulated use in that area will not be contrary to any program of neighborhood conservation nor will it interfere with any program or urban renewal;
(d) That all applicable regulations of this bylaw will be observed;
(e) That no portion of the establishment shall be located on the ground level of any building.

The Board of Appeals shall not, under any circumstances, grant a special permit for an Adult Entertainment Establishment which shall be closed that seven-hundred-fifty (750) feet to any of the uses listed in section 4630.
4650 Measurement of distances shall be from the lot line of any of the uses described in section 4630.

4660 conditions for Granting a Special Permit for Adult Entertainment Establishments:

(a) Adult Entertainment Establishments shall not be allowed within a building containing other retail, consumer or residential uses;

(b) No Adult Entertainment Establishment shall be located within sixty (60) feet of a public or private way;

(c) A material condition to every special permit issued with respect to any Adult Entertainment Establishment shall be that such establishment must cease its operations between the hours of 1:00 AM and 10:00 AM each day;

(d) No Adult Entertainment Establishment may have visible from the exterior of the premises any flashing lights;

(e) Each applicant for an Adult Entertainment Establishment must provide a plan submitted with its application showing adequate parking on the same lot as said establishment in the following ratio: one (1) parking space for each 1.25 persons allowed for said establishment's seating capacity;

(f) At all times when an adult entertainment establishment is open for business, the entire area of the premises must be continually illuminated to the degree of not less than one (1) foot candle (measured thirty (30) inches form the floor) except those portions of the room covered by furniture.

(g) No special permit for an adult use shall be issued to any person convicted of violating Massachusetts General Laws, Chapter 119, Section 63, or Massachusetts General Laws Chapter 272, Section 28.

Kim MacKenzie explained the purpose of the article. Last Fall the Adult Entertainment by-law was adopted. Due to the number of concerns, the Planning Board said that a subcommittee would be formed to further study the by-law and make any recommended changes necessary and bring them back to this body for a vote. The subcommittee was formed and the members have been meeting for the past eight months. They have study other towns Adult Entertainment by-laws and when possible attended seminars. The areas in the article which are printed in bold are the results of the subcommittee's findings. These are their recommendations that should be added to the existing by-law in order to maintain uniform regulations. He then read the Planning Board's recommendation:

The Planning Board of the Town of Chelmsford held a Public Hearing on October 9, 1996 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on September 19, 1996 and September 26, 1996, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40 A, Section 5.

At the meeting on October 9, 1996 the proponents, residents and the Planning Board discussed the merits of this zoning by-law change. It is the opinion of the Planning Board that the insertion of the new Section 4600 and the deletion of the existing Section 4600, will further clarify this by-law to regulate adult entertainment establishments and promote the health, safety and general welfare of the Citizens of the Town of Chelmsford and further protect the integrity of the Town .

Therefore, in keeping with the general intent of the zoning by-laws in the development of the community, the Planning Board voted unanimously (6-0) to strongly recommend the above mentioned changes to section 4600 of the Zoning By-law.

The Town Manager wanted it noted that section g which appears in the original motion was also additional wording , and he asked Town Counsel to explain. John Georgio Town Counsel explained that this wording is a requirement of Section 40A Sec 9A. Any Adult Entertainment By-law must contain this wording.

The Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen unanimously recommended the article. The Moderator asked if there was any further discussion, hearing none he asked for a show of hands on the article. Motion carried, unanimously.

Dennis Ready moved that the reading of this article be waived. Motion carried, unanimously.

Under Article 21 Robert Morse of the Planning Board moved that the Town vote to amend the Zoning Bylaw, Article V. Definitions, by inserting the following definition of Adult Book Store and deleting the definition of Adult Book Store as it presently appears (NOTE: language in bold print is new; all normal print presently appears in the Zoning By-law):

Adult book store: An establishment having as a substantial or significant portion of its stock in trade printed matter, books, magazines, picture periodicals, motion picture films, video cassettes, **computer compact disks, computer disks or diskettes,** or coin operated motion picture machines for sale, barter or rental which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "sexual conduct" as that term is defined in Massachusetts General Laws, Chapter 272, Section 31, "sexual devices" or an establishment having for sale sexual devices which shall mean any artificial human penis, vagina or anus or other device primarily designated, promoted or marketed to physically stimulate or manipulate the human genitals, pubic area or anal area, including dildos, penisators, vibrators, penis rings, erection enlargement or prolonging creams or other preparations or an establishment with a segment or section devoted to the sale or display or such materials.

Substantial or significant portion shall mean at least that portion of:

(i) retail sales accounting for at least twenty-five percent of gross sales, or;

(ii) merchandise accounting for at least twenty-five percent of total merchandise available for sales, or;

(iii) shelf space and display space which when combined is in excess of eighty (80) square feet.

Kim MacKenzie explained the article, stating that these changes were the result of the same reasoning mentioned in Article 20. He then read the Planning Board's recommendation:

The Planning Board of the Town of Chelmsford held a public hearing on October 9, 1996 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on September 19, 1996 and September 26, 1996, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriated agencies, as required in the Massachusetts General Laws, Chapter 40A Section 5.

At the meeting on October 9, 1996 the proponents, residents and the Planning Board discussed the merits of this zoning by-law change. It is the opinion of the Planning Board that the insertion of the new definition of Adult Book Store into Article V of the Zoning By-law ,will further clarify definations, promote the health, safety and general welfare of the Citizens of the Town of Chelmsford and further protect the integrity of the Town .

Therefore, in keeping with the general intent of the Zoning By-Laws in the development of the community, the Planning Board voted unanimously (6-0) to strongly recommend the above mentioned changes to Article V of the Zoning By-law.

The Finance Committee recommended the article. The Board of Selectmen unanimously recommened the article. The Modrator asked for a vote by way of a show of hands, motion carried, unanimously.

Under Article 22 Jeffrey Stallard moved to withdraw the article. Motion carried, unanimously. The article as posted read as follows: That the Town vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization funds, and or borrow to fund the repair and refurbishment of the property known as "The Old North Town Hall".

Under Article 23 Jeffrey Stallard explained the article. The Building known as the Old North Town Hall, could provide much needed additional meeting space for town organizations. It is not a neighborhood issue but a community issue. He felt that by having a definite time on record, then perhaps a grass root effort could take place to raise the funding necessary for repairs. Perhaps people would take a chance to work towards obtaining funding knowing that it couldn't be sold at just any time. At the end of the two years, the Selectmen could then do what ever they felt necessary for the good of the Town. Robert Hawking moved to amend the article by changing the two year stay to read three year. He explained that he is presently a member of the Community Exchange Program, which has just been granted an extension of their space at the Old Center Town Hall to be until March of 1997. So he knows how important space is for Town organizations. Three years may seem like a lot of time, but by changing the time period it would enable enough time to obtain grants and outside funding one - two years, plus construction. The Finance Committee was against the motion to amend. The Board of Selectmen were against the motion to amend. Mark Conners spoke in favor of the article. Any type of improvements would be an investment, not just for the neighborhood but for a Town owned building. Selectman Lawlor explained that the Town is not currently intending to sell the property. Further discussion took place, concerning the liability and maintance of the property. The Town is and would be responsible for any liability and maintenance of the property. Leonard Richards moved the question to stop debate. The Moderator asked for a show of hands, motion carried. The Moderator asked for a show of hands on the motion to amend the article to read from two to three year stay, motion carried. The Moderator asked for the need of further discussion, hearing none he asked for a show of hands on the article as amended. Motion carried. The article reads as follows:

Jeffrey Stallard moved that the Town vote to place a three year stay on the previous town meeting decision to sell or transfer the property known as "The Old North Town Hall". The three year time period would start at the close of the fall annual Town Meeting.

Under Article 24 Jeffrey Stallard explained that he had sign the motion to bring the article forward. Wanda Dunn who was the proponent had asked him to withdraw the article due to the monies being voted in a previous article. The Moderator asked for a show of hands, motion carried, unanimously. The article as posted read as follows: To see if the Town would vote to raise and appropriate, transfer and appropriate from available fund, transfer and appropriate from the stabilization fund, and/or borrow a certain sum of money to fund the repair and refurbishment of the Freeman Lake dam and spillway.

The Moderator made a point of order that Article 5 had been tabled to the conclusion of article 24, therefore this was the next article to be acted upon.

Under Article 5 Town Manager Bernard Lynch moved that the Town vote to appropriate the sum of $750,000 from free cash to reduce the FY97 tax rate.

The Town Manager explained that this would represent a reduced tax rate of $19.40 per $1,000. in valuation. The savings would be 26 cents a $1,000. per household. The Finance Committee recommended the article. The Board of Selectmen unanimously recommended the article. The Moderator asked for vote by way of a show of hands, motion carried, unanimously.

Under Article 25 The Moderator declared that this was a petitioned article and that the motion was not signed. This is necessary in order to bring the article to the floor, therefore no action can be taken. The Manager explained that he had spoken to the petitioner and that there were some concerns that needed to be addressed and may come back on a future warrant. The article as posted read as follows: To see if the Town will vote to amend the General By-Laws, Article VII, Miscellaneous by adding the following Section 15 Prohibition of Feeding Waterfowl:

> 1. It shall be prohibited and unlawful for any person to feed waterfowl in a residential zone.
>
> 2. The Health Department shall be authorized to enforce this By-law pursuant to Article 1 of the Town of Chelmsford By-laws.
>
> 3. The fine for each violation of this section shall be $5.00 . Each day such violation is committed, or permitted to continue, shall constitute a separate offense and shall be punishable as provided in Article 1 of the Town of Chelmsford By-laws.

Under Article 26 Michael Sockol moved to waive the reading of this article. Motion carried, unanimously. The Town Manager explained this article was brought forth as the result of concerns from the Business Community and neighborhood residents in certain areas of the Town regarding graffiti. He researched other area Towns and drew up this by-law. The areas were in the Drum Hill and Center sections of the Town. He asked the Police Chief to further explain. Chief Caron said that this graffiti is known as tagging. A group or gang marks their territory, if not removed right away, then more tagging is added. This is a common type of

destruction to public property however, it is a new feature to Chelmsford. It is felt that now is the time to have something on the books so when these people are caught then action can be taken. A discussion took place. It was felt that the owner of property is the one being penalized, because if the person isn't caught then the owner is responsible to pay the expense and clean up building etc. all within a set time period. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was against the article. The Board of Selectmen unanimously supported the article. John Harrington of the Business Community spoke in favor of the article. Samuel Poulten spoke against. Michael Sockol moved the question. The Moderator asked for any need to hear further debate, hearing none he asked for a vote by way of a show of hands. Motion carried. The article reads as follows:

Selectman Peter V. Lawlor moved to amend the General By-laws, Article VI Police Regulations, by adding the following Section 24, Graffiti:

1. Removal required; duty to maintain premises.

Graffiti is hereby determined to constitute a public nuisance and injurious to neighborhood property, and the public health, safety, and welfare. It shall be unlawful for any person, partnership, or corporation, owning any premises to permit, allow to remain, or fail to remove any unsightly condition commonly referred to as graffiti. The definition of graffiti being: "Any unauthorized defacing, marring, or damaging by the spraying of paint, marking by paint, chalk, dye, or similar substance, on any building, motor vehicle, bridge, rock, culvert, pole, sign, playground which is in public view."

2. Notice to remove.

Whenever the Chelmsford Police Department becomes aware of graffiti on any structure or improvement within the Town, they shall give notice to remove any such graffiti therefrom. Such notice shall be sent registered mail, return receipt requested, to the owner of record in the Assessor's Office and have substantially the following form:

Notice to Remove Graffiti From
Structure or Improvements
To the Owner Hereinafter Described

YOUR ATTENTION IS HEREBY DIRECTED to the provisions of Article VI, Section 24 ,of the General By-laws of the Police Regulations of the Town of Chelmsford, Massachusetts, on file in the office of the Town Clerk in Town Offices.

Pursuant to the provisions of said sections, you are hereby notified that graffiti exists on premises specifically described at _____ which injures neighboring property and the pubic health, safety, and welfare. You are therefore notified at once, and in any such event within thirty (30) days from the date of this notice, to remove said unsightly conditions from the property and thereafter to keep the said property free therefrom.

3. Penalty.

The penalty for failure, neglect, or refusal to repair or abate the nuisance within thirty (30) days period shall be $50.00 for each offense. Each day that such violation continues shall constitute a separate offense.

Michael Sockol moved to waive the reading of the next three articles. Articles 27,28, and 29. The Moderator asked for a show of hands, motion carried, unanimously.

The Moderator explained that he was going to address the following three articles all at once and then each article would be voted on individually. He asked Town Clerk Mary St.Hilaire, to Chair the meeting at this point. Mary St.Hilaire explained that all that was needed to happen with the next three articles was to go from two yes's to two no's and to get rid of an asterisk, then the Representatives could leave, she then asked Dennis McHugh to briefly explain.

Under Article 27 Dennis McHugh explained that as Moderator it has come to his attention that the rules of order are not consistent with Town Meeting Time and Roberts Rules of Order, which are the two references that are used if an issue is not addressed within our own rules of order by-law. The sections marked in the bold print were the sections that were being amended under each article. Under Article 27 he felt adjourning to a certain time should not be reconsidered, there is no purpose to reconsider. Under Article 28 he felt that a speaker shouldn't be interrupted as in a point of order way, to reconsider something that has already been voted on previously. Presently an article can be reconsidered by interupting a speaker during the discussion of another article. With this change, anyone who wants to reconsider would have to wait to speak. Under Article 29 there is no purpose to amend the limit or extend debate. Currently the Town's rules and order permit an amendment, but then no debate cdan take place. This would keep the ruling the same as it appears in Town Meeting Time.

The Acting Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen unanimously recommended the article. The Acting Moderator asked for a vote by way of a show of hands, motion carried, unanimously. The article reads as follows:

Dennis E. McHugh, Town Moderator moved that the Town vote to amend the General By-Laws, Article II, Town Meeting, Section 4, Procedures, 4.1 Order of Procedure of Motions by the rules considering a Motion to Adjourn to a Certain Time, in order to restrict reconsideration of that motion as follows):

Current By-Law:

Article II Town Meeting

.....Section 4 Procedures

4.1 Order of Precedence of Motion- At All sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

Order of Precedence of Motions

	Can be	Can be	Vote

	Privileged	Debatable	Amended	Reconsidered	Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) **Adjourn at or to a certain time**	**Yes**	**Yes**	**Yes**	**Yes**	**Majority**
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) Reconsider	Yes*	Yes	No	Yes	Majority
g) Lay on or Take from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) Limit or Extend Debate	No	No	Yes	Yes	2/3
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

*** Note :** The privileged motions marked by an asterisk may interrupt the speaker.

Propose By-Law

Article II Town Meeting

.....Section 4 Procedures

4.1 Order of Precedence of Motion - At all sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

Order of Precedence of Motions

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) **Adjourn at or to a certain time**	**Yes**	**Yes**	**Yes**	**No**	**Majority**
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) Reconsider	Yes*	Yes	No	Yes	Majority
g) Lay on or Take					

from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) Limit or Extend Debate	No	No	Yes	Yes	2/3
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

* **Note :** The privileged motions marked by an asterisk may interrupt the speaker.

Under Article 28 The Acting Moderator explained that the explanation for this article was already heard and asked for the Finance Committee's recommendation. The Finance Commitee recommended the article. The Board of Selectmen were in favor of the article. The Acting Moderator asked for any discussion, hearing none, she asked for vote by way of a show of hands, motion carried, unanimously. The article reads as follows:

Dennis E. McHugh, Town Moderator moved that the Town vote to amend the General By-Laws, Article II, Town Meeting, Section 4, Procedures, 4.1 Order of Procedure of Motions by the rules considering a Motion to Reconsider, in order to restrict reconsideration of that motion as follows):

Current By-Law:

Article II Town Meeting

.....Section 4 Procedures

4.1 Order of Precedence of Motion- At All sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

Order of Precedence of Motions

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) Adjourn at or to a certain time	Yes	Yes	Yes	Yes	Majority
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) Reconsider	**Yes***	**Yes**	**No**	**Yes**	**Majority**
g) Lay on or Take					

from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) Limit or Extend Debate	No	No	Yes	Yes	2/3
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

* **Note :** The privileged motions marked by an asterisk may interrupt the speaker.

Propose By-Law

Article II Town Meeting

.....Section 4 Procedures

4.1 Order of Precedence of Motion - At all sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:
Order of Precedence of Motions

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) Adjourn at or to a certain time	Yes	Yes	Yes	Yes	Majority
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) Reconsider	**Yes**	**Yes**	**No**	**Yes**	**Majority**
g) Lay on or Take from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) Limit or Extend Debate	No	No	Yes	Yes	2/3
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

* **Note :** The privileged motions marked by an asterisk may interrupt the speaker.

Under Article 29 The Acting Moderator explained again that the explanation for this article was already heard under Article 27, and asked for the Finance Committee's recommendation. The Finance Commitee recommended the article. The Board of Selectmen unanimously recommended the article. The Acting Moderator asked for any discussion, hearing none, she asked for vote by way of a show of hands, motion carried, unanimously. The article reads as follows:

Dennis E. McHugh, Town Moderator moved that the Town vote to amend the General By-Laws, Article II, Town Meeting, Section 4, Procedures, 4.1 Order of Procedure of Motions by the rules considering a Motion to Limit or Extend Debate, in order to restrict reconsideration of that motion as follows):

Current By-Law:

Article II Town Meeting

.....Section 4 Procedures

4.1 Order of Precedence of Motion- At all sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

Order of Precedence of Motions

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) Adjourn at or to a certain time	Yes	Yes	Yes	Yes	Majority
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) Reconsider	Yes*	Yes	No	Yes	Majority
g) Lay on or Take from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) Limit or Extend Debate	**No**	**No**	**Yes**	**Yes**	**2/3**
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

* **Note :** The privileged motions marked by an asterisk may interrupt the speaker.

Propose By-Law

Article II Town Meeting

.....Section 4 Procedures

4.1 Order of Precedence of Motion - At all sessions of Town Meeting, the following motions shall be recognized and shall have precedence in the order in which they are arranged in this section:

Order of Precedence of Motions

	Privileged	Debatable	Can be Amended	Can be Reconsidered	Vote Required
a) Adjourn (unqualified)	Yes	No	No	No	Majority
b) Adjourn at or to a certain time	Yes	Yes	Yes	Yes	Majority
c) Recess	Yes	No	Yes	No	Majority
d) Question of Privilege, Order of Information	Yes*	No	No	No	None
e) Take Out of Order	Yes	Yes	No	No	Majority
f) Reconsider	Yes*	Yes	No	Yes	Majority
g) Lay on or Take from the table	No	No	No	No	Majority
h) Previous Question	No	No	No	No	2/3
i) Limit or Extend Debate	**No**	**No**	**No**	**Yes**	**2/3**
j) Postpone to a Certain Time	No	Yes	Yes	No	Majority
k) Commit, Recommit, or Refer	No	Yes	Yes	Yes	Majority
l) Amend	No	Yes	Once	Yes	Majority
m) Main Motion	No	Yes	Yes	Yes	Majority

* **Note :** The privileged motions marked by an asterisk may interrupt the speaker.

Dennis McHugh returned to the Chair as Moderator. Barry Balan moved to adjourn the Town Meeting seeing that there was no further business at hand. The Moderator asked for a show of hands, motion carried, unanimously. The meeting adjourned at 11:05 PM.

Dennis E. McHugh, Moderator

Mary E. St.Hilaire, Town Clerk

THE COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

iddlesex

) the Constable of the Town of Chelmsford

REETING:

In the name of the Commonwealth, you are hereby required to notify
id warn the inhabitants of said town who are qualified to vote in
lections to vote at:

recinct 1 Town Office Building Gymnasium
recinct 2 Harrington Elementary School Gymnasium
recinct 3 Harrington Elementary School Gymnasium
recinct 4 Westlands School Cafetorium
recinct 5 Byam School Cafetorium
recinct 6 Westlands School Cafetorium
recinct 7 McCarthy Middle School, Small Gymnasium
recinct 8 McCarthy Middle School, Small Gymnasium
recinct 9 Town Office Building Gymnasium

n TUESDAY, THE FIFTH DAY OF NOVEMBER 1996 FROM
00 a.m. to 8:00 p.m. for the following purpose:

To cast their votes in the State Election for the Candidates of
olitical parties for the following offices:

LECTORS OF PRESIDENT AND VICE PRESIDENT FOR THE COMMONWEALTH
S. SENATOR FOR THE COMMONWEALTH
PRESENTATIVE IN CONGRESS FIFTH CONGRESSIONAL DISTRICT
OUNCILLOR THIRD COUNCILLOR DISTRICT
NATOR IN GENERAL COURT FIFTH MIDDLESEX SENATORIAL DISTRICT
PRESENTATIVE IN GENERAL COURT SIXTEENTH MLDSX REPRESENTATIVE DIST
GISTER OF PROBATE MIDDLESEX COUNTY
OUNTY TREASURER MIDDLESEX COUNTY
OUNTY COMMISSIONER MIDDLESEX COUNTY
ERIFF (to fill vacancy) MIDDLESEX COUNTY

ESTIONS:

Changing the Trapping and Hunting Laws
Limits spending on Political Campaigns **NON-BINDING**

Hereof fail not and make return of this warrant with your doings
ereon at the time and place of said meeting.

Given under our hands this 24th day of October 1996

Peter V. Lawlor, Chairman

Susan J. Gates, V.Chairman

Stuart G. Weisfeldt, Clerk

William F. Dalton

TOWN OF CHELMSFORD
COMMONWEALTH OF MASSACHUSETTS

iddlesex Date October 25, 1996

Pursuant to the within Election Warrant, I have notified and arned the inhabitants of the Town of Chelmsford by posting up attested opies of same at the following places, to wit:

own Office Building Gym, Harrington School Gymnasium, Harrington chool Gymnasium, Westlands School Cafeteria, Byam School Cafetorium, estlands School Cafeteria, McCarthy Middle School Small Gymnasium, cCarthy Middle School Small Gymnasium, and Town Office Building Gym, nd Town Office Building Lobby.

Signed William E. Spence
William E. Spence,
Constable

True Copy Attest, William E. Spence
William E. Spence, Constable

PRESIDENTAL ELECTION - NOVEMBER 5, 1996

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
amended Nov.15, 1996 Fed. Law counted 5 out of the country ballots.										
PRESIDENT AND VICE PRESIDENT										
Blanks	29	18	18	20	19	30	22	16	21	193
Browne/Jorgensen	15	18	15	16	20	20	13	17	31	165
Clinton/Gore	986	937	1052	910	1086	1150	1045	929	955	9050
Dole/Kemp	653	438	649	580	656	676	782	655	707	5796
Hagelin/Tompkins	2	2	0	7	6	0	5	3	4	29
Moorehead/LaRiva	1	3	2	0	2	0	0	4	3	15
Perot/Choate	191	170	201	199	192	189	169	155	166	1632
Nader	9	2	4	2	8	2	3	3	2	35
Write-In	5	4	4	7	4	3	3	5	4	39
Misc	1	0	0	4	1	1	0	0	1	8
TOTAL	1892	1592	1945	1745	1994	2071	2042	1787	1894	16962
U.S. SENATOR										
Blanks	19	7	18	17	27	23	20	15	19	165
John F. Kerry	783	739	819	740	809	910	804	721	776	7101
William F. Weld	1033	783	1044	923	1109	1075	1184	1002	1045	9198
Susan C. Gallagher	51	59	57	60	45	61	34	43	49	459
Robert C. Stowe	5	3	5	5	4	2	0	5	5	34
Write-In	1	1	2	0	0	0	0	1	0	5
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1892	1592	1945	1745	1994	2071	2042	1787	1894	16962
REPRESENTATIVE CONGRESS -5th										
Blanks	505	328	419	420	497	481	514	438	542	4144
Martin T. Meehan	1371	1243	1508	1300	1475	1563	1499	1327	1333	12619
Write-In	7	21	13	14	13	14	16	18	19	135
Misc	9	0	5	11	9	13	13	4	0	64
TOTAL	1892	1592	1945	1745	1994	2071	2042	1787	1894	16962
COUNCILLOR - 3rd District										
Blanks	842	589	748	711	825	827	939	756	854	7091
Cynthia Stone Creem	1039	989	1187	1025	1159	1228	1091	1023	1023	9764
Write-In	4	14	2	7	3	9	5	4	17	65
Misc	7	0	8	2	7	7	7	4	0	42
TOTAL	1892	1592	1945	1745	1994	2071	2042	1787	1894	16962

PRESIDENTAL ELECTION - NOVEMBER 5, 1996

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SENATOR GENERAL COURT-5th Mldsx										
Blanks	183	143	182	164	190	188	181	151	158	1540
Hasty Evans	835	561	729	743	828	955	955	770	920	7296
Susan Fargo	872	888	1032	834	974	928	906	865	816	8115
Write-In	1	0	1	2	1	0	0	1	0	6
Misc	1	0	1	2	1	0	0	0	0	5
TOTAL	1892	1592	1945	1745	1994	2071	2042	1787	1894	16962
REPRESENTATIVE IN GENERAL COURT-16th Mldsx										
Blanks	160	114	103	130	136	131	110	113	121	1118
Carol C. Cleven	1233	1034	1301	1171	1337	1423	1519	1248	1344	11610
Patrick Ryan Sparks	496	442	540	443	519	514	411	424	428	4217
Write-In	3	2	1	1	1	1	2	2	0	13
Misc	0	0	0	0	1	2	0	0	1	4
TOTAL	1892	1592	1945	1745	1994	2071	2042	1787	1894	16962
REGISTER OF PROBATE -Mldsx County										
Blanks	335	227	262	261	354	340	357	288	308	2732
Donna M. Lambert	977	779	992	881	1013	1071	1170	952	1054	8889
Robert B. Antonelli	580	585	688	601	626	659	514	544	528	5325
Write-In	0	0	1	2	0	0	1	3	4	11
Misc	0	1	2	0	1	1	0	0	0	5
TOTAL	1892	1592	1945	1745	1994	2071	2042	1787	1894	16962
COUNTY TREASURER - Middlesex										
Blanks	797	551	680	659	775	771	868	708	811	6620
James E. Fahey, Jr.	1085	1029	1254	1080	1214	1284	1163	1070	1067	10246
Write-In	6	12	3	3	1	9	4	6	16	60
Misc	4	0	8	3	4	7	7	3	0	36
TOTAL	1892	1592	1945	1745	1994	2071	2042	1787	1894	16962

PRESIDENTAL ELECTION - NOVEMBER 5, 1996

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
COUNTY COMMISSIONER - Mddlsx (2)										
Blanks	1495	1234	1454	1369	1687	1647	1645	1409	1443	13383
Thomas J. Larkin	824	804	962	822	932	963	848	797	844	7796
Anthony G. Marino	614	424	601	525	561	611	734	562	661	5293
Edward J. Sullivan	471	472	525	481	466	565	431	456	424	4291
Jerry Vengrow	376	247	341	289	342	355	424	348	411	3133
Write-In	1	1	2	2	0	0	0	2	0	8
Misc	3	2	5	2	0	1	2	0	5	20
TOTAL	3784	3184	3890	3490	3988	4142	4084	3574	3788	33924
SHERIFF - Middlesex County fill vacancy										
Blanks	230	158	180	165	251	212	233	186	191	1806
Brad Bailey	962	798	965	937	963	1021	1110	934	1070	8760
James V. DiPaola	696	635	798	641	780	837	698	664	632	6381
Write-In	2	1	1	1	0	0	0	3	1	9
Misc	2	0	1	1	0	1	1	0	0	6
TOTAL	1892	1592	1945	1745	1994	2071	2042	1787	1894	16962
QUESTION 1										
Blank	184	104	78	109	137	151	95	160	77	1095
YES	1009	878	1012	885	1066	1118	1090	942	1037	9037
NO	699	610	855	751	791	802	857	685	780	6830
TOTAL	1892	1592	1945	1745	1994	2071	2042	1787	1894	16962
QUESTION 2										
Blank	242	160	128	172	239	211	159	223	158	1692
YES	1481	1275	1642	1398	1547	1644	1707	1411	1530	13635
NO	169	157	175	175	208	216	176	153	206	1635
TOTAL	1892	1592	1945	1745	1994	2071	2042	1787	1894	16962

WARRANT FOR SPECIAL
TOWN ELECTION DECEMBER 17, 1996

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ:

Precinct 1.	Town Offices Building Gymnasium
Precinct 2.	Harrington Elementary School Gymnasium
Precinct 3.	Harrington Elementary School Gymnasium
Precinct 4.	Westland School Cafetorium
Precinct 5.	Byam School Cafetorium
Precinct 6.	Westland School Cafetorium
Precinct 7.	McCarthy Middle School, Small Gymnasium
Precinct 8.	McCarthy Middle School, Small Gymnasium
Precinct 9.	Town Office Building Gymnasium

On Tuesday, the 17th day of December 1996 at 12:00 noon until 8:00 p.m., for the following purpose:

To vote on the following referendum question:

QUESTION 1

Shall the Town ratify the October 21, 1996 Town Meeting vote on warrant article six to appropriate the sum of $4,832,843, this amount to be reduced by $1,832,843 of state library grant assistance, for the purpose of constructing an addition to and remodeling, reconstructing or making extraordinary repairs to the Adams Library, including original equipment and furnishings related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow $3,000,000 under General Laws Chapter 44, Section 7; that the Board of Selectmen is authorized to contract for and expend any federal or state aid available for the project; and that the Town Manager is authorized to take any other action to carry out this project?

YES
NO

Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

Given under our hands this 18th day of November, 1996.

BOARD OF SELECTMEN OF THE TOWN OF CHELMSFORD

Peter V. Lawlor , Chairman

Susan J. Gates, Vice Chairman

William F. Dalton, Clerk

Stuart G. Weisfeldt

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. November 20, 1996

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Building Gymnasium, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Building Gymnasium, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

A True Copy Attest,

William E. Spence,
Constable

SPECIAL TOWN ELECTION DECEMBER 17, 1996

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
QUESTION 1 LIBRARY ART 6 (10/21/96) FTM										
Blanks	0	0	0	1	0	0	0	1	0	2
YES	406	154	279	254	313	423	481	321	377	3008
NO	187	198	290	153	156	282	184	226	188	1864
TOTAL	593	352	569	408	469	705	665	548	565	4874

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